IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
1ST DIVISION

MICHAEL PIETRCZAK — PLAINTIFF/COUNTER-DEFENDANT

VS. — CASE NO. 65CV-21-20

RURAL REVIVAL LIVING
TRUST; AND LAURA LYNN (HAMMETT) — DEFENDANT/COUNTER-CLAIMANT

SEARCY COUNTY COURTHOUSE
MARSHALL, ARKANASAS

****
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BEFORE THE HONORABLE SUSAN WEAVER

APPEARING ON BEHALF OF THE PLAINTIFF/COUNTER-DEFENDANT:

WILLIAM Z. WHITE
115 S. THIRD STREET, SUITE 2
CONWAY, AR 72543

APPEARING ON BEHALF OF THE DEFENDANTS/ COUNTER-CLAIMANT:

LAURA LYNN (HAMMETT), PRO SE
16 GOLD LAKE CLUB ROAD
CONWAY, AR 72032

DUSTIN ALAN DUKE
P.O. BOX 3752
LITTLE ROCK, AR 72203

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COVER SHEET
STATE OF ARKANSAS
CIRCUIT COURT: CIVIL

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County: SEARCY **District:** _____ **Filing Date:** _____
Judge: _____ **Division:** _____ **Case ID:** _____

Type of case (select one that best describes the subject matter) (QT) Real Property - Other

Plaintiff		Defendant	
Company/ Last Name	PIETRCZAK	**Company/ Last Name**	RUAL REVIVAL LIVING TRUST;LAURALYNN
Suffix		Suffix	
First Name	MICHAEL	**First Name**	
DL/State ID		DL/State ID	
Address	903 LINCOLN STREET	Address	
City, State ZIP	MALVERNE,AR 72104	City, State ZIP	
Phone	501-337-6638	Phone	
Email		Email	
Self-represented	Yes No	Self-represented	Yes No
DOB		DOB	
Interpreter needed?	Yes: ---------- No other language: _____	Interpreter needed?	Yes: ---------- No other language: _____

Attorney of Record: WILLIAM ZAC WHITE **Bar #**: 2007255
For the: Plaintiff Defendant Intervenor **Email Address:** wzwhite@wzwhite.com
Related Case(s): Judge: _____ Case ID(s): _____
Manner of filing (choose one): (MFO) Original

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IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-20-____**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN **DEFENDANT**

COMPLAINT
AND
DEMAND FOR JURY TRIAL

Comes now, the Plaintiff, Micheal Pietrczak (hereafter referred to as "Pietrczak") – Walter Pietrczak, Power of Attorney-in-Fact or Plaintiff, via attorney, William Z. White, who in support of this Complaint, states and alleges as follows:

PARTIES, JURISDICTION, AND VENUE

1. Pietrczak is, at all relevant times of the events that gave rise to this lawsuit, a resident of Searcy County, Arkansas.

2. The Rural Revival Living Trust, is, at all relevant times of the events that gave rise to this lawsuit, located within Searcy County, Arkansas having a principal address of P.O. Box 14, Witts Spring, Arkansas, 72686.

3. Laura Lynn (hereafter referred to as "Lynn") is, at all relevant times of the events that gave rise to this lawsuit, a resident of Searcy County, Arkansas.

4. Mr. Walter Pietrczak is the duly authorized agent of the Plaintiff as indicated by the Durable Power of Attorney executed by the Plaintiff and filed of record with the Hot Spring County Clerk on August 1, 2016, at 8:20:33 a.m. within Volume Miscellaneous, Book 0246; Page 0064 – 2 pg(s). **See Attached Exhibit 1 - Durable Power of Attorney**.

5. The Searcy County Circuit Court shall have original jurisdiction of all justiciable matters not otherwise assigned pursuant to the Arkansas Constitution pursuant to Ark. Code Ann. § 16-13-201.

6. Venue is proper in Searcy County, Arkansas, pursuant to Ark. Code Ann. § 16-60-101. A substantial part of the events or omissions giving rise to the claim occurred within Searcy County. Furthermore, venue is proper within Searcy County, Arkansas, pursuant to Ark. Code Ann. § 16-60-102 as any action involving the sale of real property must be brought in the county in which the subject of the action, or some part thereof, is situation.

7. This action was commenced within the applicable statute of limitations of five years after the cause of action accrued pursuant to Ark. Code Ann. § 16-56-111 as this is an action, among other things, to enforce written obligations, duties, or rights.

8. The present lawsuit involves the following issues: (1) Breach of Contract; (2) Slander of Title; (3) Removal of Cloud on Title; (4) Ejectment/Trespass; (5) Forcible Entry/Detainer; (6) Declaratory Judgment; and (7) Injunctive relief.

FACTUAL BACKGROUND

9. Pietrczak owns real property located at 9985 Lick Fork Road, Witts Spring, Arkansas, 72686, (here after referred to as "Lick Fork Property") more particularly described as follows, (property description provided and excerpted):

> The NW 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas.
> Also giving and granting an easement 16 feet wide along the North boundary line of the NE 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas, running West from County Road #5, to provide ingress and egress to above lands.

10. The title to the Lick Fork Property was transferred to Pietrczak on January 6, 2015 via a Warranty Deed filed of record with the Searcy County Clerk at 1:18:55 p.m. within

Book: DEED 197, Page: 65-68. **See Attached Exhibit 2 – Warranty Deed – Married Persons Fuqua to Pietrczak.**

11. Pietrczak and Lynn were never married. However, Laura Lynn drafted a document purportedly declaring that Pietrczak and Lynn considered themselves to be husband and in wife in the eyes of God, but do not believe the state has authority to control marriage. **See Attached Exhibit 3 – Notice**. The notice purportedly also presumes to affect the division of certain property acquired by either party after December 2009 including Pietrczak's Lick Fork Property. Pietrczak was incapacitated when he executed the notice after Lynn presented the same to Pietrczak. The notice is void and has no legal affect on the Lick Fork Property possessed by Pietrczak.

12. On or about March 13, 2015, Lynn filed an Affidavit declaring the following **(See Attached Exhibit 4 – Affidavit of Lynn)**:

a. Lynn considers herself entitled to possession of the Lick Fork Property.

b. Lynn purportedly gave actual notice to the work that her possession is as a 50% undivided interest, until such a time as the formal settlement of joint assets is made and she agrees to move as part of that settlement, should herself and Michael Pietrczak stop living together as "husband and wife".

13. On or about March 22, 2016, Pietrczak agreed to sale Pietrczak's Lick Fork Property, to the Rural Revival Living Trust, Lynn acting as Trustee, for a purchase price of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 ($150,000.00).

14. On or about March 22, 2016, Lynn, as Trustee of the Rural Revival Living Trust, agreed to purchase Pietrczak's Lick Fork Property for a purchase price of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 ($150,000.00).

15. The parties memorialized their buy/sell agreement within a Mortgage Agreement. On or about March 22, 2016, Lynn either in her individual capacity and/or as trustee of the Rural Revival Living Trust prepared the Mortgage Agreement guarantying the repayment of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 ($150,000.00) from the Rural Revival Living Trust to Pietrczak. **See Attached Exhibit 5 – Mortgage Agreement**. The preparation of said Mortgage Agreement indicates that Lynn has committed the unauthorized practice of law and that such matter should be referred to the Arkansas Supreme Court's Committee on the Unauthorized Practice of Law.

16. The Mortgage Agreement was filed of record with the Searcy County Clerk on March 23, 2016 at 11:30 a.m. within Book: MORT 203; and PG: 427-436.

17. On or about March 22, 2016, Lynn either in her individual capacity and/or as trustee of the Rural Revival Living Trust prepared a Warranty Deed purportedly transferring the Lick Fork Property from Pietrczak to the Rural Revival Living Trust. **See Attached Exhibit 6 – Warranty Deed – Pietrczak to Rural Revival Living Trust.** The preparation of said warranty deed indicates that Lynn has committed the unauthorized practice of law and that such matter should be referred to the Arkansas Supreme Court's Committee on the Unauthorized Practice of Law.

18. The Warranty Deed was filed of record with the Searcy County Clerk on March 23, 2016 at 11:13 a.m. within Book: DEED 200; and PG: 606-609.

19. Pietrczak has since suffered a catastrophic fall from a height of about ninety (90') feet resulting in paralysis and other related health complications.

20. Pietrczak is unable to receive the necessary medical funding from Medicaid because of the current status of the title to Pietrczak's Lick Fork Property.

21. Since that date various differences have arisen amongst the parties giving rise to this litigation.

CAUSES OF ACTION

COUNT I:

BREACH OF CONTRACT

22. The proceeding paragraphs are incorporated by reference as if set forth word for word herein pursuant to Ark. R. Civ. P. 10(c).

23. As indicated above the parties executed (Lynn acting Trustee of the Rural Revival Living Trust as "Mortgagor" and Pietrczak as "Mortgagee") a Mortgage Agreement to sell/purchase Pietrczak's Lick Fork Property. **Refer to Attached Exhibit 5 – Mortgage Agreement**.

24. The Mortgage Agreement states in relevant part (excerpted):

> **Promise to Pay**
>
> 3. The Mortgagor, for value received, promises to pay to the Mortgagee, on demand, the Principal Amount, interest and all fees and costs on the terms set out in this Mortgage or in any amendment, extension or renewal of the Mortgage and any additional amounts secured by this Mortgage on the terms elsewhere provided for such debts and liabilities.

25. Lynn and/or the Rural Revival Living Trust has failed to remit the appropriate principal amount, interests, and all fees and costs on the terms set out within paragraph three (3) of the Mortgage Agreement. Lynn has failed without reason to remit any payments to Pietrczak for a period of at least one (1) year and is currently in default of the terms of the parties' Mortgage Agreement.

26. The Mortgage Agreement states in relevant part (excerpted):

Interest

4. The Mortgagor agrees to pay the Principal Amount with interest before and after maturity and before and after default at the rate of 10.00 percent calculated Annually, (the "Interest Rate"). The Interest Rate will be calculated from the date this Mortgage begins (the "Interest Adjustment Date") and accrues until the whole of the Principal Amount is paid. The Loan will be repaid on the following terms:

   a. The Principal Amount and interest will be repaid in consecutive monthly installments of $1,316.36 each on the 23rd of each month.
   b. The Interest Adjustment Date for this Mortgage is March 23rd, 2016
   c. The balance of the Principal Amount, if any, and any Interest thereon and any other moneys owing under this Mortgage will be due and payable on the March 23rd, 2046 (the "Maturity Date").

27. Lynn and/or the Rural Revival Living Trust has failed to remit the appropriate principal amount, interests, and all fees and costs on the terms set out within paragraph four (4) of the Mortgage Agreement. Lynn has failed without reason to remit any payments to Pietrczak for a period of at least one (1) year and is currently in default of the terms of the parties' Mortgage Agreement.

28. The Mortgage Agreement in relevant part (excerpted):

Covenants and Warranties

15. The Mortgagor warrants and agrees that:

   a. the Mortgagor has good title to the Property;
   b. the Mortgagor will preserve the Mortgagor's title to the Property and the validity and priority of this Mortgage and will forever warrant and defend the same for the Mortgagee against the claims of all persons;
   c. the Mortgagor has the authority to mortgage the Property;
   d. on default, the Mortgagee will have quiet possession of the Property;
   e. the Property is free from all encumbrances;
   f. the Mortgagor will execute further assurance of the Property as will be requisite;
   g. the Mortgagor has not done any act to encumber the Property.

29. Within paragraph fifteen (15) of the Mortgage Agreement, Lynn and/or Rural Revival Living Trust covenanted and warrantied that Pietrczak, upon Lynn's and/or Rural Revival Living Trust's default, shall have quiet possession of the Lick Fork Property. Notwithstanding defaulting the terms of the parties' Mortgage Agreement, Lynn and/or Rural

Revival Living Trust remains in possession of the Lick Fork Property unlawfully excluding Pietrczak and/or his agents from possession of the Lick Fork Property.

30. The Mortgage Agreement states in relevant part (excerpted):

> 17. The Mortgagor will pay all taxes and other fees levied on the Property and all accounts for utilities supplied to the Property and all charges, mortgages, liens and other encumbrances on the Property when they are due and comply with all other obligations under them. Upon the Mortgagee's request, the Mortgagor will promptly provide receipts showing that the taxes and other accounts have been paid.

31. Lynn and/or Rural Revival Living Trust has failed to pay all taxes and other fees levied on the Lick Fork Property as set out within paragraph seventeen (17) of the Mortgage Agreement. Lynn and/or Rural Revival Living Trust have failed without reason to timely pay the property taxes relevant to the Lick Fork Property. **See Attached Exhibit 7 – 2016 Searcy County Arkansas Tax Statement**.

32. The Mortgage Agreement states in relevant part (excerpted):

> **Mortgagor's Right to Quiet Possession**
>
> 24. Until default by the Mortgagor under this Mortgage, the Mortgagor will have quiet possession and receive the rents and profits from the Property.

33. Lynn and/or Rural Revival Living Trust are in default of the parties' Mortgage Agreement and are required to terminate their quiet possession of Pietrczak's Lick Fork Property pursuant to paragraph twenty-four (24) of the parties' Mortgage Agreement. Lynn and/or Rural Revival Living Trust have failed to terminate their quiet possession of Pietrczak's Lick Fork Property.

34. The Mortgage Agreement states in relevant part (excerpted):

Events of Default

25. The Mortgagor will be in default under this Mortgage upon the happening of any of the following events:

a. if the Mortgagor defaults in the payment of the Principal Amount, interest or any other amount secured by this Mortgage, when payment of such amount becomes due under the terms of this Mortgage or as elsewhere provided for any other amount secured by this Mortgage;

b. if the Mortgagor fails to observe or to perform of any term or covenant which have agreed to observe or perform under this Mortgage or elsewhere;

35. Lynn and/or Rural Revival Living Trust are in default as set forth in paragraph twenty-five (25) of the parties' Mortgage Agreement in the following ways:

a. Lynn and/or Rural Revival Living Trust have failed in the payment of the principal amount, interest or any other amount secured by the parties' Mortgage Agreement.

b. Lynn and/or the Rural Revival Living Trust has failed to observe or to perform certain terms or covenants that they have previously agreed to observe or perform within the parties' Mortgage Agreement.

36. The Mortgage Agreement states in relevant part (excerpted):

Acceleration on Default

26. If at any time the Mortgagor should be in default under this Mortgage, the Principal Amount and interest and all amounts secured by this Mortgage will, at the option of the Mortgagee, become due and payable immediately.

37. Lynn and/or Rural Revival Living Trust are in default of the parties' Mortgage Agreement. Pietrczak hereby accelerates the entire principal amount and interest and all amounts secured by the parties' Agreement due and payable immediately. Pietrczak believes that Lynn and/or Rural Revival Living Trust will violate paragraph twenty-six (26) of the parties' Mortgage Agreement due to an inability to immediately pay the entire principal amount and interest and all amounts secured by Lynn and/or Rural Revival Living Trust upon acceleration.

38. The Mortgage Agreement states among in relevant part (excerpted):

Additional Charges

29. The Mortgagor may be charged with fees in association with the default of this Mortgage or for the protection of the Mortgagee's interest for this Mortgage, which may include, but is not limited to, attorneys' fees and property inspections (the "Additional Fees"). The absence of specific charges which may be levied against the Mortgagor in this Mortgage does not preclude the Mortgagee from charging such costs as Additional Fees. However, the Mortgagee will not charge any fees which are prohibited by Applicable Law and the Mortgagee will not charge any fees above and beyond the amount or percentage allowed under the Applicable Law. The Additional Fees will carry the rate of 10.00 percent and calculated Annually. The Additional Fees' total including interest will become due upon written request by the Mortgagee.

39. Lynn and/or Revival Rural Trust are in default of the parties' Mortgage Agreement. Accordingly, the Court should award Pietrczak his attorney's fees associated with the necessitation of this action against Lynn and/or Rural Revival Living Trust pursuant to Ark Code. Ann. § 16-22-308 and paragraph twenty-nine (29) of the parties' Mortgage Agreement.

40. The Mortgage Agreement states in relevant part (excerpted):

Remedies on Default

33. The Mortgagee will have the right to pursue all remedies for the collection of the amounts owing on this Mortgage that are provided for by the Applicable Law, whether or not such remedies are expressly granted in this Mortgage, including but not limited to foreclosure proceedings.

41. Pietrczak is authorized to bring forth this cause of action against Lynn and/or Rural Revival Living Trust pursuant to the relevant Arkansas law and paragraph thirty-three (33) of the parties' Mortgage Agreement.

COUNT II:

SLANDER OF TITLE

42. The proceeding paragraphs are incorporated by reference as if set forth word for word herein pursuant to Ark. R. Civ. P. 10(c).

43. Slander of title is an action based upon malicious publication of a false matter that disparages the title to property. See *Jackson v. Smith*, 2010 Ark. App. 681, 380 S.W.3d 443, 2010 Ark. App. LEXIS 734 (Ark. Ct. App. 2010).

44. Notwithstanding Pietrczak's catastrophic injuries and placement into the nursing home Pietrczak remains the owner of the Lick Fork Property.

45. As indicated above, on or about March 13, 2015, Lynn filed an Affidavit declaring the following (**Refer to Attached Exhibit 4 – Affidavit of Lynn**):

a. Lynn considers herself entitled to possession of the Lick Fork Property.

b. Lynn purportedly gave actual notice to the work that her possession is as a 50% undivided interest, until such a time as the formal settlement of joint assets is made and she agrees to move as part of that settlement, should herself and Michael Pietrczak stop living together as "husband and wife."

46. On or about March 22, 2016, Lynn, as Trustee of the Rural Revival Living Trust, agreed to purchase from Pietrczak's Lick Fork Property for a purchase price of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 ($150,000.00).

47. The parties memorialized their buy/sell agreement within a Mortgage Agreement. On or about March 22, 2016, Lynn either in her individual capacity and/or as trustee of the Rural Revival Living Trust prepared the Mortgage Agreement guarantying the repayment of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 ($150,000.00) from the Rural Revival Living Trust to Pietrczak. **Refer to Attached Exhibit 5 – Mortgage Agreement**. The preparation of said Mortgage Agreement indicates that Lynn has committed the unauthorized practice of law and that such matter should be referred to the Arkansas Supreme Court's Committee on the Unauthorized Practice of Law.

48. The Mortgage Agreement was filed of record with the Searcy County Clerk on March 23, 2016 at 11:30 a.m. within Book: MORT 203; and PG: 427-436.

49. On or about March 22, 2016, Lynn either in her individual capacity and/or as trustee of the Rural Revival Living Trust prepared a Warranty Deed purportedly transferring the Lick Fork Property from Pietrczak to the Rural Revival Living Trust. **Refer to Attached Exhibit 6 – Warranty Deed – Pietrczak to Rural Revival Living Trust.** The preparation of said warranty deed indicates that Lynn has committed the unauthorized practice of law and that such matter should be referred to the Arkansas Supreme Court's Committee on the Unauthorized Practice of Law.

50. The Warranty Deed was filed of record with the Searcy County Clerk on March 23, 2016 at 11:13 a.m. within Book: DEED 200; and PG: 606-609.

51. Lynn and/or Rural Revival Living Trust know that Lynn is not a licensed attorney and as such is prevented from preparing legal documents on behalf of Pietrczak and/or Rural Revival Living Trust. Lynn has filed illegally prepared legal documents and filed the same within the Searcy County Clerk's property records specifically with the intent to disparage Pietrczak's title to the Lick Fork Property in favor of Lynn and/or Rural Revival Living Trust.

52. Pietrczak alleges that the Lynn and/or Rural Revival Living Trust has intentionally acted with malice, express or implied, in making slanderous statements regarding the title of Pietrczak's Lick Fork Property. Pietrczak will provide ample evidence at trial to prove the allegations against Lynn and/or Rural Revival Living Trust, including any elements (if required) concerning the damages Pietrczak has suffered as a result of Deatherage's actions once discovery has occurred.

53. Pietrczak alleges that due to Lynn's and/or Rural Revival Living Trust's actions Pietrczak has been unable to enjoy the Lick Fork Property freely and quietly, and likewise, has been unable to otherwise sell or lease the Lick Fork Property to others. Pietrczak will provide ample evidence at trial to prove allegations against Lynn and/or Rural Revival Living Trust, including any elements (if required) concerning the damages Pietrczak has suffered as a result of Lynn and/or Rural Revival Living Trust's actions once discovery has occurred.

54. Pietrczak is entitled to three (3) times actual damages, punitive damages, and costs, including any reasonable attorney's fees or other costs of litigation reasonably incurred.

COUNT III:

REMOVAL OF CLOUD ON TITLE

55. The proceeding paragraphs are incorporated herein by reference as if set forth word for word herein pursuant to Ark. R. Civ. P. 10(c).

56. Ark. Code Ann. § 5-37-226 makes it a criminal offense for a person with the knowledge of an instrument's lack of authenticity or genuineness to have it placed of record in the office of the county recorder or in the office of the Secretary of State any instrument:

a. Clouding or adversely affecting:

    i. The title or interest of the true owner, lessee, or assignee in real property; or

    ii. Any bona fide interest in real property; and

b. With the purpose of:

    i. Clouding, adversely affecting, impairing, or discrediting the title or other interest in the real property which may prevent the true owner, lessee, or

assignee from disposing of the real property or transferring or granting any interest in the real property; or

ii. Procuring money or value from the true owner, lessee, or assignee to clear the instrument from the records of the office of the county recorder or the office of the Secretary of State.

57. An owner, lessee, or assignee of real property located in the State of Arkansas who suffers loss or damages as a result of conduct that is prohibited Ark. Code Ann. § 5-37-226(a) and who must bring civil action to remove any cloud from his or her title or interest in the real property or to clear his or her title or interest in the real property is entitled to three (3) times actual damages, punitive damages, and costs, including any reasonable attorney's fees or other costs of litigation reasonably incurred. See Ark. Code Ann. §5-37-226(c).

58. Lynn and/or Rural Revival Living Trust are guilty of knowingly filing the unauthentic and fraudulent lien, Mortgage Agreement, and Warranty Deed into the records of the Searcy County Recorder.

59. Lynn and/or Rural Revival Living Trust caused the unauthentic lien, Mortgage Agreement, and Warranty Deed to be filed of record in an effort to cloud Pietrczak's title to the Lick Fork Property and to adversely affect, impair, or discredit the title of other Pietrzcak's interest in the Lick Fork Property. This has prevented Pietrczak, as the true owner of the Lick Fork Property, from disposing of the Lick Fork Property or transferring or granting any interest in the Lick Fork Property to anyone else.

60. Lynn and/or Rural Revival Living Trust is guilty of a class A misdemeanor subject to up to one (1) year in prison and a fine of two thousand five hundred dollars and 00/100 ($2,500.00) each. See Ark. Code Ann. § 5-37-226(b)(1)(A). If Lynn and/or Rural Revival

Living Trust have a previous conviction under Ark. Code Ann. § 5-37-226, then they are guilty of a Class D Felony punishable by serving up to six (6) years in prison and paying up to a $10,000.00 fine.

61. Pietrczak requests that the lien, Mortgage Agreement, and Warranty Deed be canceled, held null and void and of no effect, that the cloud on the title of Pietrczak's Lick Fork Property be removed, that a criminal investigation concerning Lynn's and/or Rural Revival Living Trust's action be commenced, and that Pietrczak be awarded three (3) times actual damages, punitive damages, and costs, including any reasonable attorney's fees or other costs of litigation incurred. Finally, this Court should refer this matter to the prosecuting attorney to initiate criminal proceedings against Lynn and/or Rural Revival Living Trust.

COUNT IV:

EJECTMENT/TRESPASS

62. The proceeding paragraphs are incorporated by reference as if set forth word for word herein pursuant to Ark. R. Civ. P. 10(c).

63. Pietrczak brings forth this claim for ejectment pursuant to Ark. Code Ann. § 18-60-201 et seq.

64. Pietrczak is the owner of the real property unlawfully occupied by Lynn and/or Rural Revival Living Trust. As set forth herein above Pietrczak has stated sufficient facts and presented sufficient proof to demonstrate that Pietrczak is entitled to possession of the Lick Fork Property and that Lynn and/or Rural Revival Living Trust are wrongfully in possession of the same.

65. Pietrczak has set forth herein all deeds and written evidences of title upon which the maintenance of this suit pursuant to Ark. Code Ann. § 18-60-205 relies.

66. Pietrczak requests that the Court render judgment in Pietrczak's favor and grant recovery of the possession of the Lick Fork Property, for any damages caused by Lynn and/or Rural Revival Living Trust, and for recovery of the costs incurred by Pietrczak for the necessitation of this action as set forth within Ark. Code Ann. § 18-60-207, -209.

67. Pietrczak requests that the Court issue a Writ of Possession commanding the officer to whom it is directed to deliver to Pietrczak or his agent possession of the Lick Fork Property pursuant to Ark. Code Ann. § 18-60-208.

68. Pietrczak requests that if any damages are found for Pietrczak that the Court orders costs pursuant to Ark. Code Ann. § 16-68-401 including the treble damages provisions of Ark. Code Ann. § 16-60-102.

COUNT V:

FORCIBLE ENTRY AND UNLAWFUL DETAINER

69. The proceeding paragraphs are incorporated by reference as if set forth word for word herein pursuant to Ark. R. Civ. P. 10(c).

70. Lynn and/or Rural Revival Living Trust guilty of unlawful detainer within the meaning of Ark. Code Ann. § 18-60-303.

71. Lynn and/or Rural Revival Living Trust entered upon and/or unlawfully detained Pietrczak's Lick Fork Property without right or claim to title. See Ark. Code Ann. § 18-60-303(1).

72. Further, Lynn and/or Rural Revival Living Trust forcibly entered into the premises and caused the locks of Pietrczak's residence located on the Lick Fork Property to be changed in an effort to prevent Pietrczak or the attorney-in-fact from gaining access to Pietrczak's Lick Fork Real Property. See. Ark. Code Ann. § 18-60-303(2).

73. Pietrczak requests that the Court issue a Writ of Possession and all other damages and/or restitution Pietrczak entitled to recover pursuant to Ark. Code Ann. § 18-60-309.

COUNT VI:

DECLARATORY JUDGMENT

74. The proceeding paragraphs are incorporated by reference as if set forth word for word herein pursuant to Ark. R. Civ. P. 10(c).

75. Pietrczak requests that the Court declares that Pietrczak remains the true and rightful owner of the Lick Fork Property pursuant to Ark. R. Civ. P. 57 and Ark. Code Ann. § 16-111-101 et seq.

COUNT XII:

INJUNCTION

76. The proceeding paragraphs are incorporated by reference as if set forth word for word herein pursuant to Ark. R. Civ. P. 10(c).

77. Pietrczak seeks to permanently enjoin Lynn and/or Rural Revival Living Trust from entering upon Pietrczak's Lick Fork Property pursuant to Ark. R. Civ. P. 65. Pietrczak herein asserts that Pietrczak has no other adequate remedy at law and the equitable remedy of an injunction is appropriate.

78. Pietrczak requests that this Court hold a preliminary injunction hearing in an expedited manner.

DEMAND FOR JURY TRIAL

79. Pietrczak demands a trial by jury of all possible justiciable issues pursuant to Ark. R. Civ. P. 38.

REQUEST FOR REFERRAL TO SEARCY COUNTY PROSECUTING ATTORNEY

80. Pietrczak requests that the incidents giving rise to this lawsuit are referred to the Searcy County Prosecuting Attorney for criminal investigation.

RELIEF REQUESTED

WHEREFORE, the Plaintiff, Michael Pietrczak, respectfully requests that this Court: (1) find that Lynn and/or Rural Revival Living Trust have breached and remain in default of the parties' Mortgage Agreement; (2) find that Lynn and/or Rural Revival Living Trust has unlawfully slandered the title to Pietrczak's Lick Fork Property; (3) remove the cloud on the title of Pietrczak's Lick Fork Property; (4) find that Lynn and/or Rural Revival Living Trust is guilty of trespassing upon Pietrczak's Lick Fork Property and that Lynn and/or Rural Revival Living Trust should be ejected from Pietrczak's Lick Fork Property; (5) find that Lynn and/or Rural Revival Living Trust forcibly entered Pietrczak's Lick Fork Property and/or has unlawfully detained the same; (6) find that Pietrczak is the true and rightful owner of the disputed real property; (7) grant a permanent injunction against Lynn and/or Rural Revival Living Trust from further entering upon Pietrczak's Lick Fork Property; (8) award Pietrczak's fees and costs associated with the necessitation of this matter (including a reasonable attorney's fee); (9) award Pietrczak an amount of money due from Lynn and Rural Revival Living Trust, jointly and severally, equal to the amount of damages Pietrczak has sustained (including an award of treble damages); (10) award Pietrczak all damages Pietrczak proves entitled to including an award for the mental anguish Pietrczak has and will continue to suffer due to Lynn's and/or Rural Revival Living Trust's actions; (11) grant Pietrczak a trial by jury; (13) refer this matter to the Searcy County Prosecuting Attorney for criminal investigation; and (14) grant Pietrczak any and all other relief entitled whether specifically prayed for herein or not.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak – Walter Pietrczak
Attorney-in-fact.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
P.O. Box 1087 (Postal)
706 W. Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

This instrument prepared by:
Billy Jack Gibson, Attorney at Law
120 W. Second St
Malvern, AR 72104

Vol MISC/ Book 0246 / Page 0064 - 2 pg(s)
I HEREBY CERTIFY THAT THIS INSTRUMENT
WAS FILED AND RECORDED ON 08/01/2016 08:20:33 AM
MAYME BROWN, CIRCUIT CLERK
HOT SPRING COUNTY, ARKANSAS
KBurks

DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That I, **MICHEAL PIETRCZAK,** the undersigned, of Malvern, Hot Spring County, Arkansas, do hereby make, constitute, and appoint WALTER ALEXANDER PIETRCZAK, of Malvern, Hot Spring County, Arkansas as my true and lawful attorney in fact for me and in my name, place, and stead, and on my behalf, and for my use and benefit:

1. To exercise or perform any act, power, duty, right, or obligation whatsoever that I now have, or may hereafter acquire the legal right, power or capacity to exercise or perform, in connection with, arising from, or relating to any person, item, transaction, thing, business property, real or personal, tangible or intangible, or matter whatsoever;

2. To request, ask, demand, sue for, recover, collect, receive, and hold and possess all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, notes, interests, stock certificates, bonds, dividends, certificates of deposit, annuities, pension and retirement benefits, insurance benefits, and proceeds, any and all documents of title, chooses in action, personal and real property, intangible and tangible property and property rights, and demands whatsoever, liquidated or unliquidated, as now are, or shall hereafter become, owned by, or due, owing, payable, or belonging to me or in which I have or may hereafter acquire interest, to have, use, and take all lawful means and equitable and legal remedies, procedures, and writs in my name for the collection and recovery thereof, and to adjust, sell, compromise, and agree for the same, and to make, execute and deliver for me, on my behalf, and in my name, all endorsements, acquittance, releases, receipts, or other sufficient discharges for the same;

3. To lease, purchase, exchange, and acquire, and to agree, bargain, and contract for the lease, purchase, exchange, and acquisition of, and to accept, take, receive, and possess any real or personal property whatsoever, tangible or intangible, or interest thereon, on such terms and conditions, and under such covenants, as said attorney in fact shall deem proper;

4. To maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens, mortgage, subject to deeds of trust, and hypothecate, and in any way or manner deal with all or any part of any real or personal property whatsoever, tangible or intangible, or any interest therein, that I own or may hereafter acquire, for me, in my behalf, and in my name and under such terms and conditions, and under such covenants, as said attorney in fact shall deem proper;

5. To conduct, engage in, and transact any and all lawful business of whatever nature or kind for me, on my behalf, and in my name;

6. To make, receive, sign, endorse, execute, acknowledge, deliver, and possess such applications, contracts, agreements, options, covenants, conveyances, deeds, trust deeds, security agreements, bills of sale, leases, mortgages, assignments, insurance policies, bills of lading, warehouse receipts, documents of title, bills, bonds, debentures, checks, drafts, bills of exchange, letters of credit, notes, stock certificates, proxies, warrants, commercial paper, receipts, withdrawal receipts and deposit instruments relating to accounts or deposits in, or certificates of deposits of, banks, savings and loan or other institutions or associations, proofs of loss, evidences of debts, releases, and satisfaction of mortgages, liens, judgments, security agreements and other debts and obligations and such other instruments in writing of whatever kind and nature as may be necessary or proper in the exercise of the rights and powers herein granted.

EXHIBIT
1
PENGAD 800-631-6989

This instrument prepared by:
Billy Jack Gibson, Attorney at Law
120 W. Second St
Malvern. AR 72104

7. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I might could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in fact, or his or her substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.

8. This instrument is to be construed and interpreted as a durable power of attorney and shall not be affected by subsequent disability or incapacity of the principle. The enumeration of specific items, rights, acts, or powers herein is not intended to, nor does it, limit or restrict, and is not to be construed or interpreted as limiting or restricting, the general powers herein granted to said attorney in fact.

9. I hereby revoke any POWER OF ATTORNEY that may have previously been executed by me and I hereby state that this POWER OF ATTORNEY shall remain in full force and effect until I revoke it.

10. To work as my agent, or attorney in fact, to make decisions regarding my health care during periods when my health care provider has determined that I lack capacity to decide for myself. Specifically, and not to limit any other rights prescribed under the Act, my attorney-in-fact shall have the power to have access to my medical records for treatment or payment decisions; to disclose medical records to others for purposes of treatment, payment, or health care operations; to employ and discharge physicians; to consent to or refuse to consent to medical procedures, including the withholding or withdrawal of life-sustaining treatment, and nutrition and hydration, upon consideration of my best interest as determined by my physician in consultation with my agents; to admit me to hospitals, including nursing homes or hospice care; and to sign all appropriate forms, consents and releases in connection with any of said matters pursuant to the Arkansas Durable Power of Attorney for Health Care Act (Ark. Code An. § 20-13-104).

11. The rights, powers and authority of said attorney in fact herein granted shall commence and be in full force and effect from date executed below and such rights, powers, and authority shall remain in full force and effect thereafter until termination by an instrument of writing executed by Grantor herein.

Dated this 26th day of July, 2016.

MICHEAL PIETRCZAK

State of Arkansas)
)
County of Hot Spring)

Subscribed and sworn to before me, a Notary Public, this 26th day of July, 2016.

My Commission Expires:
6-27-2026

BILLY JACK GIBSON NOTARY PUBLIC #12698141 EXP. 06.27.2026 HOT SPRING COUNTY, ARKANSAS

NOTARY PUBLIC

After recording please return to:
Conway Title Services & Escrow, Inc.
701 Locust Street
Conway, AR 72034

L201600021
SEARCY CO, AR FEE $30.00
PRESENTED: 01-06-2015 01:18:55 PM
RECORDED: 01-06-2015
DEBBIE LOGGINS
COUNTY AND CIRCUIT CLERK
BY: CARROL RAGLAND
DEPUTY CLERK
BK: DEED 197
PG: 65-68

WARRANTY DEED
MARRIED PERSONS

File #: 1401387-114

KNOW ALL MEN BY THESE PRESENTS:

That we, **Michael Fuqua and Daphne Fuqua, husband and wife**, hereinafter called GRANTOR(S), for and in consideration of the sum of ---One AND 00/100--- DOLLARS---($1.00)---and other good and valuable consideration in hand paid by **Michael Pietrezak, An Unmarried Person**, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto **Michael Pietrezak, An Unmarried Person**, hereinafter called GRANTEE(S), and unto his heirs and assigns forever, the following lands lying in **Searcy** County, **Arkansas** to-wit:

Subject to easements, rights-of-way, and protective covenants of record, if any.
Subject to all prior mineral reservations and oil and gas leases.

TO HAVE AND TO HOLD the same unto the said Grantee(s), and unto his heirs and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said Grantee(s) that we will forever warrant and defend the title to the said lands against all claims whatsoever.

And we, Michael Fuqua and Daphne Fuqua, husband and wife, for and in consideration of the said sum of money, do hereby release and relinquish unto the said Grantee(s) all our rights of curtesy, dower and homestead in and to the said lands.

Prepared under the supervision of
Katy M. Sager, Attorney-At-Law
Sager Law Firm, PA
P.O. Box 8212
Fayetteville, AR. 72703

EXHIBIT
tabbies
2

WITNESS our hands and seals on this 29th day of December, 2014.

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.

GRANTEE OR AGENT: Michael Piechrzak for Michael Fuqua

GRANTEE'S ADDRESS: 9985 Lick Skillet Rd
Mt. Springs, AR 72068

Michael Fuqua

Daphne Fuqua

Daphne Fuqua

ACKNOWLEDGMENT

STATE OF Arkansas)
) SS.
COUNTY OF Faulkner)

On this day, before the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named **Michael Fuqua and Daphne Fuqua** known to me (or satisfactorily proven) to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they had executed the same for the consideration and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 29th day of December, 2014.

Shannon Howland
Notary Public

My Commission Expires:
7/15/2020

SHANNON HOWLAND
NOTARY PUBLIC-STATE OF ARKANSAS
FAULKNER COUNTY
My Commission Expires 07-15-2020
Commission # 12377762

0-L055 3609792 alt.005

STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp

Proof of Tax Paid

File Number: 1401387-114

Grantee: MICHAEL PIETREZAK
Mailing Address: 9985 LICK FORK ROAD
WITT SPRINGS AR 726860000

Grantor: MICHAEL FUQUA
Mailing Address: 288 KENT ROAD
STAR CITY AR 716670000

Property Purchase Price:	$145,000.00
Tax Amount:	$478.50
County:	SEARCY
Date Issued:	01/05/2015
Stamp ID:	1582694400

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Michael Pietrezak

Grantee or Agent Name (signature): by Conway Title Services as Agent Date: 1/05/2015

Address: 9985 Lick Fork Road

City/State/Zip: Witt Springs, AR 72686

* Re-Record to correct spelling of Grantee's name.

After recording please return to:
Conway Title Services & Escrow, Inc.
701 Locust Street
Conway, AR 72034

L201500021
SEARCY CO, AR FEE $30.00
PRESENTED: 01-06-2015 01:18:55 PM
RECORDED: 01-06-2015
DEBBIE LOGGINS
COUNTY AND CIRCUIT CLERK
BY: CARROL RAGLAND
DEPUTY CLERK
BK: DEED 197
PG: 65-68

WARRANTY DEED
MARRIED PERSONS

File #: 1401387-114

KNOW ALL MEN BY THESE PRESENTS:

That we, **Michael Fuqua and Daphne Fuqua, husband and wife**, hereinafter called GRANTOR(S), for and in consideration of the sum of ---One AND 00/100--- DOLLARS---($1.00)---and other good and valuable consideration in hand paid by * ~~Michael Pietrczak~~ * Micheal Pietrczak, **An Unmarried Person**, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto * ~~Michael Pietrczak~~ * Micheal Pietrczak, **An Unmarried Person**, hereinafter called GRANTEE(S), and unto his heirs and assigns forever, the following lands lying in **Searcy** County, **Arkansas** to-wit:

Subject to easements, rights-of-way, and protective covenants of record, if any.
Subject to all prior mineral reservations and oil and gas leases.

TO HAVE AND TO HOLD the same unto the said Grantee(s), and unto his heirs and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said Grantee(s) that we will forever warrant and defend the title to the said lands against all claims whatsoever.

And we, Michael Fuqua and Daphne Fuqua, husband and wife, for and in consideration of the said sum of money, do hereby release and relinquish unto the said Grantee(s) all our rights of curtesy, dower and homestead in and to the said lands.

L201501799
SEARCY CO, AR FEE $30.00
PRESENTED: 09-15-2015 01:44:33 PM
RECORDED: 09-15-2015
DEBBIE LOGGINS
COUNTY AND CIRCUIT CLERK
BY: KANDYCE RAGLAND
DEPUTY CLERK
BK: DEED 199
PG: 141-144

Prepared under the supervision of
Katy M. Sager, Attorney-At-Law
Sager Law Firm, PA
P.O. Box 8212
Fayetteville, AR. 72703

We, Laura Lynn and Micheal Pietrczak, consider ourselves to be husband and wife in the eyes of God, but do not believe the state has authority to control marriage.

We each agree, that should we separate, we are each entitled to half the property we accumulated since December 2009, excluding any interest in Silver Strand Plaza, LLC or property inherited from Sandra and Norman Kramer, Laura's parents, that has not been comingled. Property includes 9985 Lick Fork Road in Witts Spring, Arkansas, The Estate Sale, the proceeds of litigation against Vicki Kahia, et al, and property bought with income from Silver Strand Plaza, LLC or other inherited income.

We make these statements of our own free will, and swear them to be true and correct under the laws of the State of Arkansas and in Jesus' name.

Micheal Pietrczak _____ Date: Feb 23, 2015

Micheal Pietrczak

Laura Lynn _____ Date: Feb 23, 2015

~~Laura Lynn~~

Notary Stamp

State of AR
County of Searcy
The foregoing instrument was acknowledged before me
this 23 day of February 2015
By Laura Judith Lynn
Personally known ___ OR produced Identification ✓
Type identification produced _____

Deborah L Loggins
Notary Public

DEBORAH L. LOGGINS
NOTARY PUBLIC
ARKANSAS
SEARCY COUNTY
12309003 EXPIRES 8-7-2022

State of AR
County of Searcy
The foregoing instrument was acknowledged before me
this 23 day of February 2015
By Micheal Pietrczak
Personally known ___ OR produced Identification ✓
Type identification produced _____

Deborah L Loggins
Notary Public

DEBORAH L. LOGGINS
NOTARY PUBLIC
ARKANSAS
SEARCY COUNTY
12309003 EXPIRES 8-7-2022

EXHIBIT
3

AFFIDAVIT

I, Laura Lynn, swear under penalty of perjury according to the laws of the State of Arkansas that I am entitled to possession of 9985 Lick Fork Road, Witts Springs, Arkansas along with the owner of title, Micheal Pietrczak. I hereby give actual notice to the world that my possession is as a 50% undivided interest, until such a time as a formal settlement of joint assets is made and I agree to move as part of that settlement, should Micheal Pietrczak and I stop living together as "husband and wife".

The formal property description is: The NW ¼ of the SE ¼ of section 6, T-13-N, R-17-W, Searcy County, Arkansas.

Also giving and granting an easement 16 feet wide along the North boundary line of the NE ¼ of the SE ¼ of section 6, T-13-N, R-17-W, Searcy County, Arkansas, running West from County Road #5, to provide ingress and egress to above lands.

A signed, notarized agreement between Micheal Pietrczak and me is attached hereto.

Date: March 13, 2015 **Signed:** Laura Lynn

DEBORAH L LOGGINS NOTARY PUBLIC ARKANSAS SEARCY COUNTY 12380303 EXPIRES 8-7-2022

State of AR
County of Searcy
Subscribed and sworn to (or affirmed) before me this
13 day of March 2015
By Laura Lynn
Personally known X OR produced Identification ____
Type identification produced ____
Deborah L Loggins
Notary Public

L201500503
SEARCY CO, AR FEE $20.00
PRESENTED: 03-13-2015 03:35:49 PM
RECORDED: 03-13-2015
DEBBIE LOGGINS
COUNTY AND CIRCUIT CLERK
BY: CARROL RAGLAND
DEPUTY CLERK
BK: MISC 175
PG: 150-151

EXHIBIT 4

PENGAD 800-631-6989

L201600543
SEARCY CO, AR FEE $0.00
PRESENTED: 03-23-2016 11:30:07 AM
RECORDED: 03-23-2016 11:30:07 AM
DEBBIE LOGGINS
COUNTY AND CIRCUIT CLERK
BY: QUENTON BLAIR
DEPUTY CLERK
BK: MORT 203
PG: 427-436

Mortgage Agreement

THIS MORTGAGE AGREEMENT (the "Mortgage") dated this 22nd day of March, 2016

BETWEEN

Laura Lynn, trustee of
Rural Revival Living Trust of PO Box 14, Witts Spring, Arkansas, 72686 USA
(the "Mortgagor")

OF THE FIRST PART

- AND -

Micheal Pietrczak of 9985 Lick Fork Road, Witts Spring, Arkansas, 72686 USA
(the "Mortgagee")

OF THE SECOND PART

Background

A. The Mortgagor, being registered as owner of the estate in the following described property (the "Property") located at 9985 Lick Fork Road, Witts Spring, Arkansas, 72686 USA in searcy County, State of Arkansas, United States with the following legal description:

The NW 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas.
Also giving and granting an easement 16 feet wide along the North boundary line of the NE 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas, running West from County Road #5, to provide ingress and egress to above lands.
B. Any buildings or structures on the Property and anything now or later attached or affixed to the buildings or the Property including additions, alterations and improvements located on, above or below the surface of the Property are covered by this Mortgage. ~~However, no additions, alterations or improvements will be made by the Mortgagor without the Mortgagee's prior written consent.~~ LL MP
Any addition, alteration or improvement will be subject to all recorded easements, rights of way, conditions, encumbrances and limitations, and to all applicable building and use restrictions, zoning laws and ordinances, if any, affecting the Property.

IN CONSIDERATION OF the sum lent to the Mortgagor by the Mortgagee, in the amount of one hundred fifty thousand ($ 150,000) U.S. DOLLARS (the "Principal Amount") the receipt of which the Mortgagor does hereby acknowledges itself indebted, the parties

EXHIBIT 5
PENGAD 800-631-6989

to this Mortgage agree as follows:

U.C.C. Security Agreement

1. It is agreed that if any of the Property herein mortgaged is of a nature so that a security interest in the Property can be perfected under the Uniform Commercial Code, this instrument will constitute a Security Agreement and the Mortgagor agrees to join with the Mortgagee in the execution of any financing statements and to execute any and all other instruments that will be required for the perfection or renewal of such security interest under the Uniform Commercial Code.

Governing Law

2. This Mortgage will be governed by both the law of Arkansas and any applicable federal law (the "Applicable Law"). All rights and obligations contained in this Mortgage are subject to any requirements and limitations of the Applicable Law.

MATTERS RELATING TO PAYMENT

Promise to Pay

3. The Mortgagor, for value received, promises to pay to the Mortgagee, on demand, the Principal Amount, interest and all fees and costs on the terms set out in this Mortgage or in any amendment, extension or renewal of the Mortgage and any additional amounts secured by this Mortgage on the terms elsewhere provided for such debts and liabilities.

Interest

4. The Mortgagor agrees to pay the Principal Amount with interest before and after maturity and before and after default at the rate of 10.00 percent calculated Annually, (the "Interest Rate"). The Interest Rate will be calculated from the date this Mortgage begins (the "Interest Adjustment Date") and accrues until the whole of the Principal Amount is paid. The Loan will be repaid on the following terms:

   a. The Principal Amount and interest will be repaid in consecutive monthly installments of $1,316.36 each on the 23rd of each month.
   b. The Interest Adjustment Date for this Mortgage is March 23rd, 2016
   c. The balance of the Principal Amount, if any, and any Interest thereon and any other moneys owing under this Mortgage will be due and payable on the March 23rd, 2046 (the "Maturity Date").

Place of Payment

5. Mortgagor will make monthly payments at 9985 Lick Fork Road, Witts Spring, Arkansas 72686 USA or at a location as later specified by the Mortgagee.

Funds for Escrow Items

6. ~~The Mortgagor will pay to the Mortgagee, on the day periodic payments are due under this Mortgage, a sum (the "Funds") to provide for payment of (a) all taxes, assessments and other charges against the Property; (b) ground rents or other lease payments on the Property; and (c) premiums for any and all insurance required by Mortgagee (the "Escrow Items").~~ KK MP

7. The Mortgagor will notify the Mortgagee of all of amounts to be paid under this Section. At the Mortgagee's discretion, the Mortgagor will provide receipts of such payments to the Mortgagee. If the Mortgagor fails to make timely payments, the Mortgagee can, at its discretion, make any payments for overdue Escrow Items on behalf of the Mortgagor and the Mortgagor will be obligated to repay the Mortgagee for any such amount. The Mortgagee may waive the Mortgagor's obligation to pay for any or all Escrow Items to the Mortgagee through written notice. If such waiver occurs, the Mortgagor is responsible to pay the amounts due for any Escrow Items. The Mortgagee can at any time revoke the waiver of any or all Escrow Item payments by written notice to the Mortgagor and, upon such revocation, the Mortgagor will pay to the Mortgagee all Funds, and in such amounts, that are then required under this Section.

8. The Mortgagee will collect and hold the Funds in accordance with the Real Estate Settlement Procedures Act (the "RESPA"). The Mortgagee will reasonably estimate the amount of Funds due in accordance with the Applicable Law.

9. If there is a surplus of Funds held in escrow, the Mortgagee will provide the Mortgagor with the excess funds in accordance with the RESPA. If there is a shortage of Funds held in escrow, the Mortgagee will notify the Mortgagor as required by the RESPA, and the Mortgagor will pay to Mortgagee the amount necessary to make up the shortage in accordance with the RESPA.

Obligation to Pay without Set-off or Delay

10. The Mortgagor agrees to pay all amounts payable pursuant to this Mortgage and all additional amounts secured by this Mortgage without abatement, set-off or counterclaim. Should the Mortgagor make any claim against the Mortgagee either initially or by way of abatement, set-off or counterclaim, the Mortgagor agrees that any such claim will not diminish or delay the Mortgagor's obligations to make the payments as provided in this Mortgage.

Application of Payments and Interest after Default

11. All monthly payments received by the Mortgagee will first be applied in payment of the interest calculated at the Interest Rate, and second in payment of the Principal Amount. However, if the Mortgagor is in default, then the Mortgagee will apply any payments received during this period as the Mortgagee chooses. If the Mortgagor is in default in payment of any amount including interest, interest will be payable on the interest and other arrears at the Interest Rate compounded monthly.

Annual Prepayment Privileges

12. When not in default, the Mortgagor may prepay an amount not greater than 100.00% of the original Principal Amount of the Mortgage anytime during the year, up to and including the anniversary date of the Interest Adjustment Date (the "Annual Prepayment"). The Mortgagor may prepay any unpaid Annual Prepayment from previous years in addition to the Annual Prepayment from the current year.

Full Prepayment Privileges

13. Mortgagor may, at any time after 1 year of the term of the Mortgage or if renewed, after 1 year of the term of the last renewal of the Mortgage, prepay the full outstanding balance.

Discharge

14. When the Mortgagor pays the Principal Amount, interest and all the other amounts secured by this Mortgage in full and notifies the Mortgagee in writing and requests a discharge of this Mortgage, the Mortgagee will discharge this Mortgage. The Mortgagor will give the Mortgagee a reasonable time after payment in which to prepare and issue the discharge.

Covenants and Warranties

15. The Mortgagor warrants and agrees that:

a. the Mortgagor has good title to the Property;
b. the Mortgagor will preserve the Mortgagor's title to the Property and the validity and priority of this Mortgage and will forever warrant and defend the same for the Mortgagee against the claims of all persons;
c. the Mortgagor has the authority to mortgage the Property;
d. on default, the Mortgagee will have quiet possession of the Property;
e. the Property is free from all encumbrances;
f. the Mortgagor will execute further assurance of the Property as will be requisite;
g. the Mortgagor has not done any act to encumber the Property.

Fixtures and Additions

16. The Mortgagor agrees that the Property includes all property of any kind that is now or at any time in the future attached or affixed to the land or buildings or placed on and used in connection with them, as well as all alterations, additions and improvements to the buildings.

Payment of Taxes and Other Encumbrances

17. The Mortgagor will pay all taxes and other fees levied on the Property and all accounts for utilities supplied to the Property and all charges, mortgages, liens and other encumbrances on the Property when they are due and comply with all other obligations under them. Upon the Mortgagee's request, the Mortgagor will promptly provide receipts showing that the taxes and other accounts have been paid.

No Sale Without Consent

18. ~~The Mortgagor will not sell, transfer, lease or otherwise dispose of all or any part of the Property or any interest in the Property or if a corporation, permit a change in control, without the Mortgagee's prior written approval. Any transfer approved by the Mortgagee must involve the purchaser, transferee or lessee entering into an assumption agreement in a form satisfactory to the Mortgagee. Acceptance of any payments from any purchaser, transferee or lessee or after a change in control not approved in writing, will not constitute an approval or waiver by the Mortgagee.~~

Property Insurance

19. The Mortgagor ~~will~~ may insure, in the Mortgagee's favor, all buildings on the Property that are the subject of the Mortgage. The insurance will include protection against damage by fire and other perils including "extended peril coverage" and any other perils that the Mortgagee requests. The insurance must cover replacement costs of any buildings on the Property in US dollars. The Mortgagor will choose the insurance company but the final selection is subject to the Mortgagee's approval. The insurance policies will include a standard mortgage clause stating that any loss is payable to the Mortgagee. This Mortgage will be sufficient proof for any insurance company to pay any claims to the Mortgagee and to accept instructions from the Mortgagee regarding any insurance claims relating to the Property.

20. The Mortgagor will provide the following at the request of the Mortgagee:

a. a copy of the insurance policy;
b. receipts of all paid insurance premiums; and
c. renewal notices and evidence of renewal completion.

21. In the event of loss, the Mortgagor will provide prompt notice to the Mortgagee and the insurance carrier. The Mortgagor will provide the Mortgagee proof of all claims at the Mortgagor's own expense and will perform all necessary acts to enable the Mortgagor to obtain all insurance proceeds from the claim. The insurance proceeds, in whole or in part, will be applied to the restoration and repair of the Property, if the restoration and repair is economically feasible. If the restoration and repair is not economically feasible, then the insurance proceeds will be applied to the remainder of the Mortgage, whether or not the balance of the Mortgage is then due. Any remaining funds from the insurance claim will be paid to the Mortgagor.

Repair, Vacancy and Maintenance of the Property

22. The Mortgagor will maintain the Property in good order and condition and will promptly make all necessary repairs, replacements, and improvements. The Mortgagor will not allow any part of the Property to become or remain vacant without

the written consent of the Mortgagee. The Mortgagor will not commit waste and will not remove, demolish or materially alter the Property or any part of it without prior written consent from the Mortgagee. The Mortgagee may, whenever necessary, enter upon and inspect the Property. If the Mortgagor, or anyone claiming under the Mortgagor, neglects to keep the Property in good condition and repair, or commit any act of waste on the Property, or do anything by which the value of the Property is thereby diminished, all of which the Mortgagee will be the sole judge, the Mortgagee may (but is not obliged to) enter the Property and effect such repairs or work as it considers necessary.

Environmental Hazards

23. The Mortgagor will not use, store, release, deposit, recycle, or permit the presence of hazardous substances on the Property, generally accepted items for residential use excepted, which includes but not limited to asbestos, PCBs, radioactive materials, gasoline, kerosene, or other flammable petroleum products (the "Hazardous Substances"). The Mortgagor is also prohibited from performing any acts on the Property involving any Hazardous Substances that would materially affect the value of the Property or would require clean-up or remedial action under federal, state, or local laws and codes.

DEFAULT AND REMEDIES

Mortgagor's Right to Quiet Possession

24. Until default by the Mortgagor under this Mortgage, the Mortgagor will have quiet possession and receive the rents and profits from the Property.

Events of Default

25. The Mortgagor will be in default under this Mortgage upon the happening of any of the following events:

a. if the Mortgagor defaults in the payment of the Principal Amount, interest or any other amount secured by this Mortgage, when payment of such amount becomes due under the terms of this Mortgage or as elsewhere provided for any other amount secured by this Mortgage;
b. if the Mortgagor fails to observe or to perform of any term or covenant which have agreed to observe or perform under this Mortgage or elsewhere;
c. if any information or statement the Mortgagor has given or made before, at or after signing the Mortgage, in respect of the Property or the Mortgagor's affairs is incorrect or untrue at the time it was given or made;
d. if the Mortgagor ceases or threatens to cease to carry on in a sound businesslike manner, the business in which the Mortgagor ordinarily conducts on, or with respect to all or any part of, the Property;
e. if the Property is a condominium unit or units and a vote authorizes the termination of the condominium or the sale of all or substantially all of the condominium corporation's assets or its common elements or the condominium corporation fails to insure the unit and common elements;
f. if a petition in bankruptcy is filed against the Mortgagor, if the Mortgagor makes a general assignment for the benefit of the creditors, if a receiver, interim receiver, monitor or similar person is placed or is threatened to be placed in control of

or for the overview of Mortgagor's affairs or Property, or in the opinion of the Mortgagee, the Mortgagor becomes insolvent;

g. if a construction or similar type lien is registered against the Property or if default occurs under any other lien, mortgage or encumbrance existing against the Property;

h. if the Mortgagor abandons ~~or does not visibly and consistently occupy~~ the Property; or

i. if the Property or a material part of the Property is expropriated.

Acceleration on Default

26. If at any time the Mortgagor should be in default under this Mortgage, the Principal Amount and interest and all amounts secured by this Mortgage will, at the option of the Mortgagee, become due and payable immediately.

27. If at any time the Mortgagor is in default and the Mortgagee does not require the Mortgagor to pay immediately in full as described above, the Mortgagee will retain the right to seek full immediate payment if the Mortgagor is in default at a later time. Any forbearance on the part of the Mortgagee upon default, which includes but not limited to acceptance of late payment, acceptance of payment from third parties, or acceptance of payments less than the amount then due, will not constitute as waiver to enforce acceleration on default.

28. In the event that the Mortgagee elects to accelerate the Mortgage, the Mortgagee will provide notice to the Mortgagor in accordance with the Applicable Law.

Additional Charges

29. The Mortgagor may be charged with fees in association with the default of this Mortgage or for the protection of the Mortgagee's interest for this Mortgage, which may include, but is not limited to, attorneys' fees and property inspections (the "Additional Fees"). The absence of specific charges which may be levied against the Mortgagor in this Mortgage does not preclude the Mortgagee from charging such costs as Additional Fees. However, the Mortgagee will not charge any fees which are prohibited by Applicable Law and the Mortgagee will not charge any fees above and beyond the amount or percentage allowed under the Applicable Law. The Additional Fees will carry the rate of 10.00 percent and calculated Annually. The Additional Fees' total including interest will become due upon written request by the Mortgagee.

Protection of Mortgagee's Security

30. If at any time the Mortgagor should fail to uphold the covenants in this Mortgage, or if a legal proceeding commences which materially affects the Mortgagee's interest in the Property, the Mortgagee may pay or perform any reasonable action as necessary to protect the Mortgagee's interest, which includes, but is not limited to:

a. payment of insurance premiums and taxes, levies, accruing against the Property;
b. payment of sums due secured by a prior lien which has priority over this Mortgage;
c. payment of legal fees in relations to any legal proceedings or legal costs arising from the Property; and
d. payment of reasonable costs in repairing and maintaining the Property.

31. Any action referred to in this section is optional for the Mortgagee and the Mortgagee has no duty or obligation to carry out any of the remedies listed in this section and will not incur any liability in the failure to perform such tasks.

32. Any amount disbursed by the Mortgagee in relation to the protection of the Mortgagee's security will become Additional Fees payable by the Mortgagor.

Remedies on Default

33. The Mortgagee will have the right to pursue all remedies for the collection of the amounts owing on this Mortgage that are provided for by the Applicable Law, whether or not such remedies are expressly granted in this Mortgage, including but not limited to foreclosure proceedings.

34. If the Mortgagee invokes the power of sale, the Mortgagee or its agent will execute a written notice of the event of default and the Mortgagee's election to sell the Property. The Mortgagee or its agent will mail copies of the notice as prescribed by Applicable Law to the Mortgagor and other persons required by Applicable Law. The Mortgagee or its agent will give public notice of sale to the Mortgagor in the manner provided for by Applicable Law. After the time required by Applicable Law, the Mortgagee or its agent, without demand on the Mortgagor, will sell the Property at public auction to the highest bidder, at the time and place and subject to the terms indicated in the notice of sale. The Mortgagee or its agent may postpone sale of the Property by public announcement at the time and place of any scheduled sale.

MISCELLANEOUS MATTERS

Interpretation and Headings

35. Headings are inserted for the convenience of the parties to the Mortgage only and are not to be considered when interpreting this Agreement. Words in the singular mean and include the plural and vice versa. Words in the masculine gender mean and include the feminine gender and vice versa. Words importing persons include firms and corporations and vice versa.

Severability

36. If any provision of this Mortgage will be held invalid or be prohibited by the Applicable Law, such provision will not invalidate the remaining provisions of this Mortgage and such provisions of the Mortgage will be amended or deleted as necessary to comply with the Applicable Law.

37. Nothing contained in this Mortgage will require the Mortgagor to pay, or for the Mortgagee to accept, interest in an amount greater than that allowed by the Applicable Law. If the payment of interest or other amounts under this Mortgage would otherwise exceed the maximum amount allowed under the Applicable Law or violate any law as to disclosure or calculation of

interest charges, then the Mortgagor's obligations to pay interest or other charges will be reduced or amended to the maximum rate or amount permitted under the Applicable Law.

Joint Signatures

38. If the Mortgagor is more than one person or legal entity, each person or legal entity who signs it will be jointly and severally bound to comply with all covenants and obligations of the Mortgagor and the said covenants and obligations will bind all of the Mortgagor's successors and permitted assigns. The Mortgage will enure to the benefit of the Mortgagee and the Mortgagee's successors and assigns.

Statutory Covenants

39. The covenants contained in this Mortgage are additional and supplemental, to the extent permitted by law, to the covenants set out in the Applicable Law regarding Mortgages.

Demands and Notices

40. Any notice given by either party in this Mortgage must be in writing. Unless otherwise provided in this Mortgage or prohibited by law, where this Mortgage allows or requires the Mortgagee to make a demand on or give a notice to any person, the Mortgagee will make the demand or give the notice by:

a. delivering it to the party at the Property or the party's last known address;
b. by mailing it by prepaid registered mail addressed to the party at the Property or the party's last known address;
c. by sending it by telefacsimile to the party's last known number; or
d. where the party is a corporation, by so delivering or sending it to the last known address or number of a director, officer, employee or attorney of the corporation.

41. The Mortgagee will make the demand or give the notice by:

a. delivering it to the party's last known address;
b. by mailing it by prepaid registered mail addressed to the party's last known address;
c. by sending it by telefacsimile to the party's last known number; or
d. where the party is a corporation, by so delivering or sending it to the last known address or number of a director, officer, employee or attorney of the corporation.

42. Any notice or demand delivered as described will constitute as sufficient delivery. Any notice, demand mail and facsimile (the "Notice") made will constitute as being effective on the same day that it was sent, unless the day in which the Notice was sent falls on a national holiday, Saturday or Sunday, in which case, the next business day would be considered as the day of receipt.

43. Any party in this instrument whose address has changed is responsible for notifying the other respective parties of the change in address.

Signing this Mortgage

IN WITNESS WHEREOF the Mortgagor has duly affixed his/her signature under hand and seal on this 22nd day of March, 2016.

Dated: March 22, 2016

Laura Lynn
Rural Revival Living Trust, Laura Lynn, trustee

Mortgagor Acknowledgment

State of Arkansas)

County of Searcy)

On this 22nd day of March, 2016, before me, Laura Lynn the undersigned officer, personally appeared Rural Revival Living Trust, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Nancy L Weaver
Notary Public
My commission expires: 8-1-2019

NANCY L. WEAVER
SEARCY COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires August 01, 2019
Commission No. 12371796

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L201600541
SEARCY CO, AR FEE $30.00
PRESENTED: 03-23-2016 11:13:35 AM
RECORDED: 03-23-2016 11:13:35 AM
DEBBIE LOGGINS
COUNTY AND CIRCUIT CLERK
BY: QUENTON BLAIR
DEPUTY CLERK
BK: DEED 200
PG: 606-609

Prepared by:
Laura Lynn
PO Box 14, Witts Spring, Arkansas, 72686

After recording return to:
Laura Lynn
PO Box 14, Witts Spring, Arkansas, 72686

Above this line reserved for official use only

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

For valuable consideration of $1.00, and other good and valuable consideration, the receipt of which is hereby acknowledged, Micheal Pietrczak, not married of 9985 Lick Fork Road, Witts Spring, Arkansas, 72686, (the "Grantor"), does hereby grant, bargain, sell, convey and warrant unto Laura Lynn as trustee of Rural Revival Living Trust, dated March 22, 2016, (collectively the "Grantee"), the following lands and property, together with all improvements located thereon, lying in the County of Searcy, State of Arkansas:

> The NW 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas.
> Also giving and granting an easement 16 feet wide along the North boundary line of the NE 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas, running West from County Road #5, to provide ingress and egress to above lands.

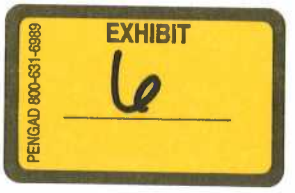
Less and except all oil, gas and minerals, on and under the above described property owned by the Grantor, if any, which are reserved by the Grantor.

Subject to all easements, rights-of-way, protective covenants and mineral reservations of record, if any.

TO HAVE AND TO HOLD the same unto the Grantee and the Grantee's heirs and assigns forever, with all appurtenances belonging on the property.

The Grantor covenants with the Grantee that the Grantor is lawfully seized in fee simple of the granted premises; that the same are free from all encumbrances except those set forth above; that the Grantor has good right, full power and lawful authority to sell and convey the property to the Grantee; and that the Grantor and the Grantor's heirs, executors and administrators shall warrant and defend the property to the Grantee and the Grantee's heirs forever against the claims and demands of all persons whatsoever.

Taxes for tax year 2016 will be paid by the Grantee.



The property conveyed in this deed is part of the homestead of the Grantor.

IN WITNESS WHEREOF this deed was executed by the Grantor on this 22nd day of March, 2016.

Signed, Sealed and Delivered
In the Presence of:

Micheal Pietrczak

Sign: Doug Weaver
Name: Doug Weaver

Sign: Nancy L Weaver
Name: Nancy L Weaver

The Grantor certifies under penalty of false swearing that the legally correct amount of documentation stamps have been placed on this document.

IN WITNESS WHEREOF this deed was executed by the Grantee on this 22nd day of March, 2016.

Signed, Sealed and Delivered
In the Presence of:

Rural Revival Living Trust
By: Laura Lynn, Trustee
Title: _____

Sign: Doug Weaver
Name: Doug Weaver

Sign: Nancy L Weaver
Name: Nancy L Weaver

The Grantee certifies under penalty of false swearing that the legally correct amount of documentation stamps have been placed on this document.

Grantor Acknowledgment

STATE OF ARKANSAS)
) ss.
COUNTY OF Searcy)

On this 22nd day of March, 2016 before me, a Notary Public in and for the said state, personally appeared Micheal Pietrczak, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF I have set my hand and official seal.

NANCY L. WEAVER
SEARCY COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires August 01, 2019
Commission No. 12371796

Nancy L Weaver
Notary Public, State of Arkansas
County of Searcy
Name: NANCY L WEAVER

Commission Expires: 8-1-2019

Corporate Grantee Acknowledgment

STATE OF ARKANSAS)
COUNTY OF Searcy) ss.

On this 22nd day of March, in the year 2016, before me, a Notary Public in and for the said state, personally appeared Laura Lynn as trustee of Rural Revival Living Trust, dated March 22, 2016, known to me (or proved to me on the basis of satisfactory evidence) to be the president (or other officer or person) of the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

Nancy L Weaver
Notary Public for the State of Arkansas
County of Searcy
Name: Nancy L WEAVER

My Commission Expires: 8-1-2019

Send tax statements to:
Laura Lynn
PO Box 14, Witts Spring, Arkansas, 72686

NANCY L. WEAVER
SEARCY COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires August 01, 2019
Commission No. 12371796

I CERTIFY UNDER PENALTY OF FALSE SWEARING THAT DOCUMENTARY STAMPS OR A DOCUMENTARY SYMBOL IN THE LEGALLY CORRECT AMOUNT HAS BEEN PLACED ON THIS INSTRUMENT.

Laura Lynn
GRANTEE OR GRANTEE'S AGENT

PO Box 14, Witts Spring, AR 72686
GRANTEE'S ADDRESS

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Joey Pruitt
Sheriff and Collector
P.O. Box 812
Marshall, AR 72650
870-448-5050

2016 Tax Statement

Searcy County, Arkansas

Taxes Due 1st business day in March.
Delinquent after October 16, 2017

1018134
PIETRCZAK MICHEAL & LYNN LAURA
903 LINCOLN ST
MALVERN AR 72104

Payment Options:

Online:	https://www.ark.org/propertytax/searcy/index.php
Mobile:	Smart Phone Device: mobile.ar.gov
In Person:	We are now accepting credit cards
By Mail:	Send self-addressed stamped envelope for receipt return
By Phone:	1-866-257-2055 (County Code 64)

Make checks payable to: SEARCY COUNTY TAX COLLECTOR

Please return this statement with payment. Examine statement for errors.

Parcel Number / Owner's Name / Legal Description	School District	Valuation	Millage	Description of Tax	Tax Amount	Total Tax Due
0012283	17R	13,950	47.55	Personal Property	663.32	
PIETRCZAK MICHEAL & LYNN LAURA						$663.3
903 LINCOLN STREET						
Personal Property						
001-05933-000	17R	12,670	47.55	Real Estate	602.46	
RURAL REVIVAL LIVING TRUST				Homestead Credit	-350.00	
9985 LICK FORK RD				Timber Tax (37.00 acres)	7.40	
06-13-17 40 acres						
NW SE						$259.86

Taxing Unit	Tax Dollars	Millage Rate Real	Millage Rate Personal	Effective Tax Rate Real	Effective Tax Rate Personal
SCSD	$703.93	0.03655	0.03655	0.7310%	0.7310%
County General	$77.04	0.00400	0.00400	0.0800%	0.0800%
County Roads (Full)	$57.78	0.00300	0.00300	0.0600%	0.0600%
County Library	$57.78	0.00300	0.00300	0.0600%	0.0600%
County Bld Mant Fund	$19.25	0.00100	0.00100	0.0200%	0.0200%
Other	$7.40				
Total Tax	**$923.18**	**0.04755**	**0.04755**	**0.9510%**	**0.9510%**

Millages reflect the current tax year only. Dollar distribution may not be accurate if this statement shows delinquent taxes.

Total Tax Due **923.18**

Amendment 79 and Act 142 provides that homeowners may be able to receive up to $350 tax credit on the property that is their principal residence. Also, it provides that homeowners can receive a freeze on their assessed value if they are 65 years of age or older or 100% disabled. Contact the Searcy County Assessor's Office for further informaton.

EXHIBIT 7

PENGAD 800-631-6989

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
20TH CIRCUIT DIVISION 1

MICHAEL PEITRCZAK V RURAL LIVING TRUST ETAL.

65CV-21-20

SUMMONS

THE STATE OF ARKANSAS TO DEFENDANT:

LAURA LYNN
PO Box 14
Witts Springs, AR 72686

A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it) - or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas - you must file with the clerk of this court a written answer to the complaint or a motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

WILLIAM Z. WHITE, Esq.
P.O. Box 1087
706 West Quitman Street
Heber Springs, AR 72543

If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.

Additional notices:

CLERK OF COURT

Address of Clerks Office

DEBBIE LOGGINS, CIRCUIT CLERK
CIRCUIT COURT OF SEARCY COUNTY
PO BOX 998
MARSHALL, AR 72650



DEPUTY CLERK MARY BETH MARTIN, DC

Date: 04/23/2021

No. 65CV-21-20 This summons is for LAURA LYNN (name of Defendant).

PROOF OF SERVICE

❏ On _____ [date] I personally delivered the summons and complaint to the individual at _____ [place]; or

❏ After making my purpose to deliver the summons and complaint clear, on _____ [date] I left the summons and complaint in the close proximity of the defendant by _____ [describe how the summons and complaint was left] after he/she refused to receive it when I offered it to him/her; or

❏ On _____ [date] I left the summons and complaint with _____, a member of the defendant's family at least 18 years of age, at _____ [address], a place where the defendant resides; or

❏ On _____ [date] I delivered the summons and complaint to _____ [name of individual], an agent authorized by appointment or by law to receive service of summons on behalf of _____ [name of defendant]; or

❏ On _____ [date] at _____ [address], where the defendant maintains and office or other fixed location for the conduct of business, during normal working hours I left the summons and complaint with _____ [name and job description]; or

❏ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I served the summons and complaint on the defendant by certified mail, return receipt requested, restricted delivery, as shown by the attached signed return receipt.

❏ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I mailed a copy of the summons and complaint by first-class mail to the defendant together with two copies of a notice and acknowledgment and received the attached notice and acknowledgment form within twenty days after the date of mailing.

❏ Other [specify]:
_____

❏ I was unable to execute service because:
_____
_____

My fee is $ ____.

To be completed if service is by a sheriff or deputy sheriff:

Date: _____ SHERIFF OF _____ COUNTY, ARKANSAS

By: _____
[Signature of server]

_____
[Printed name, title, and badge number]

To be completed if service is by a person other than a sheriff or deputy sheriff:

Date: _____ By: _____
[Signature of server]

_____
[Printed name]

Address: _____
_____

Phone: _____

Subscribed and sworn to before me this date: _____

_____
Notary Public

My commission expires: _____

Additional information regarding service or attempted service:
_____
_____

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Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Apr-27 15:03:22
65CV-21-20
C20D01 : 2 Pages

SUSAN K. WEAVER
CIRCUIT JUDGE
1ST DIVISION 20TH JUDICIAL DISTRICT
FAULKNER COUNTY JUSTICE BUILDING
510 SOUTH GERMAN LANE
MAILING ADDRESS
801 LOCUST STREET
CONWAY, ARKANSAS 72034

BRITTANI BURNETTE
TRIAL COURT ASSISTANT
PHONE: 501-450-4904
FAX: 501-450-4977

JANA PERRY, CCR
COURT REPORTER
PHONE: 501-450-4955
FAX: 501-450-4977

April 27, 2021

RE: 65CV-21-20 Pietrczak v. Rural Revival Living Trust, et al.

Counsel,

We have been holding hearings via zoom for a year, but we are still consistently having issues with technology, preparedness, attire, and behavior from all those attending. The Court respectfully requests that all attorneys practice with their clients on zoom, as well as test their audio, video, and screen-sharing capability prior to hearings. The Supreme Court has provided information in regard to frequently asked questions in regard to zoom. https://www.arcourts.gov/sites/default/files/Zoom/FAQ%20for%20using%20Zoom%20in%20courts.pdf.

While there have been several reoccurring issues, audio seems to be the most prominent one. Clear audio is of the utmost importance, it is not only important for the court reporter to have an accurate record, but it also important for the audio to be recorded for back up. There are numerous relatively-inexpensive microphones that seems to work well, provided is a link to one. https://www.amazon.com/CMTECK-Microphone-Indicator-Omnidirectional-Conference/dp/B075HTKBNP/ref=sr_1_3?crid=3CZATMRTTIBGS&dchild=1&keywords=cmteck+usb+desktop+computer+cm001+microphone&qid=1607024824&sprefix=cmteck%2Caps%2C194&sr=8-3.

It is also important that no one tries to speak over one another, this is especially true via zoom as this interrupts the audio and will affect the recording. In a live courtroom, backup recordings can catch what's been said by all parties, but zoom cuts out audio for all but one speaker.

Everyone, attorneys included, should dress and behave as they would in a courtroom, as zoom court is still court. Attorneys should advise their clients to be in a quiet, appropriate location. A virtual background can be used if a more appropriate location is not available.

Just as one is expected to be prepared for in-person court, the same holds true for zoom court. Please be mindful of the fact this is still court, albeit a different forum.

Sincerely,



Judge Susan Weaver

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Searcy County Circuit Court
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65CV-21-20
C20D01 : 2 Pages

SUSAN K. WEAVER
CIRCUIT JUDGE
1ST DIVISION 20TH JUDICIAL DISTRICT
FAULKNER COUNTY JUSTICE BUILDING
510 SOUTH GERMAN LANE
MAILING ADDRESS
801 LOCUST STREET
CONWAY, ARKANSAS 72034

BRITTANI BURNETTE
TRIAL COURT ASSISTANT
PHONE: 501-450-4904
FAX: 501-450-4977

JANA PERRY, CCR
COURT REPORTER
PHONE: 501-450-4955
FAX: 501-450-4977

April 27, 2021

RE: 65CV-21-20 Pietrczak v. Rural Revival Living Trust, et al.

Dear Counsel,

Currently, you have a trial set via Zoom with this court. Each of you has likely participated in Zoom hearings with this court and is aware of how the hearings are conducted; however, to help the process run smoothly, please be sure to have all exhibits to the court reporter pre-marked and delivered to the Justice building within 24 hours prior to the hearing. Should your hearing begin on a Monday, all exhibits will be required to be delivered by 4:00 p.m. the previous Friday. Also, please email a copy of all exhibits to the court reporter as well at least 24 hours in advance. Her email is jana.perry@faulknercounty.org.

Additionally, all witnesses, including your clients, are required to participate via video and audio during the hearing. There are no exceptions to the parties to this requirement; however, other witnesses may be done differently, should the attorneys agree beforehand. It is imperative that all involved are able to be heard clearly. Any witnesses you do not require to be in your office or conference room, may be sent a link to attend the hearing from another location convenient for them. We have virtual meeting and waiting rooms available, should "The Rule" be requested in regard to any witnesses other than the parties. It is recommended that you practice a trial run with your clients and/or witnesses. Our office can provide a link for such if requested. If a testifying party does not have access to technology or the internet, please contact our office as we have both available to accommodate.

Furthermore, please instruct your clients and witnesses, that this is court and to dress and act accordingly.

Please feel free to contact my trial court assistant with any questions. Thank you for your time and attention to this matter.

Sincerely,

Judge Susan K. Weaver

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65CV-21-20
C20D01 : 1 Page

20th Judicial District Trial/Hearing Setting Sheet

County: Searcy

Michael Pietrczak

VS. NO 65CV-21-20

Rural Revival Living Trust and Laura Lynn

FOR COURT USE

DATE: August 4, 2021
TIME: 09:00 am
DIVISION: 1
SET BY: BB -- 04/27/2021

REQUESTED BY: William Zac White ☐ NEED INTERPRETER
TYPE HEARING: Final
ESTIMATED TIME: 4hours
REMARKS: ZoomGov -- Meeting ID: 161 846 9170 Passcode: 024226
AD LITEM:

ATTORNEY FOR PLAINTIFF:

William Zac White
706 W. Quitman St.
Heber Springs, AR 72543
PHONE: 501-365-3931
FAX: 501-365-3935
EMAIL: WZwhite@WZwhite.com

ATTORNEY FOR DEFENDANT:

PHONE:
FAX:
EMAIL:

1. To set a trial/hearing date, mail, email or fax a copy of the setting sheet to the appropriate division. The trial court assistant will schedule the trial/hearing based on the information provided and return one copy of this form to the party requesting trial/hearing.
2. **IT IS THE RESPONSIBILITY OF THE PARTY REQUESTING THE SETTING TO NOTIFY ALL OPPOSING COUNSEL (OR PARTIES), SEND A COPY OF THE LETTER OF NOTIFICATION TO THE TRIAL COURT ASSISTANT AND TO THE CLERK FOR THE FILE.**
3. Should opposing counsel have a conflict with the scheduled trial/hearing date, the case and opposing counsel are to be notified within ten (10) days. If an alternate date cannot be agreed upon, counsel for all parties will be required to conference with the Court to set the matter.

Division 1: Susan Weaver, Judge
Brittani Burnette, Trial Court Administrator
Fax: (501) 450-4977
Phone: (501) 450-4904
brittani.burnette@faulknercounty.org

Division 2: Troy Braswell, Judge
Thai McBee, Trial Court Administrator
Fax: (501) 329-4934
Phone: (501) 450-4931
thai.mcbee@faulknercounty.org

Division 3: Charles E. Clawson, III, Judge
Amanda Todd, Trial Court Administrator
Fax: (501) 450-4972
Phone: (501) 450-4970
amanda.todd@faulknercounty.org

Division 4: David M. Clark, Judge
Shannon Naylor, Trial Court Administrator
Fax: (501) 328-4157
Phone: (501) 328-4156
shannon.naylor@faulknercounty.org

Division 5: H.G. Foster, Judge
Jan Wilbanks, Trial Court Administrator
Fax: (501) 450-4966
Phone: (501) 450-4925
jan.wilbanks@faulknercounty.org

MAILING ADDRESS:
801 Locust Street
Conway, AR 72034

☐ Faulkner County Justice Building
510 S. German Lane, Conway, AR 72034
☐ Courtroom 2A ☐ Courtroom 3C
☐ Courtroom 2B ☐ Courtroom 3D
☐ Courtroom 3A ☐ Courtroom 4
☐ Courtroom 3B

☐ Van Buren County Courthouse (1)
273 Main Street, Clinton, AR 72031

☐ Van Buren County Annex (2)
100 Success Dr., Ste 27, Clinton, AR 72031

☐ Searcy County Courthouse (1)
Courthouse Square, Marshall, AR 72650

☐ Searcy County Annex (Paul V. Jones Annex) (2)
Courthouse Square, Marshall, AR 72650

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65CV-21-20
C20D01 : 3 Pages

SPACE RESERVED FOR COURT FILING PURPOSES:

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

CASE NO. 65CV-21-20

RURAL LIVING TRUST; AND
LAURA LYNN **DEFENDANT**

NOTICE OF HEARING

A Zoom Hearing has been set in this matter on August 4, 2021, beginning at 9:00 a.m. in the Circuit Court of the Honorable Judge Susan Weaver, or at such subsequent time or other place to which said hearing may be adjourned or transferred. If you do not have access to internet, you may contact the Court at (501) 450-4904 for further instructions. The hearing is expected to last approximately four (4) hours. Zoom Hearing instructions are as follows:

Topic: August 4, 2021
Time: Aug 4, 2021 09:00 AM Central Time (US and Canada)

Join ZoomGov Meeting
https://www.zoomgov.com/j/1618469170?pwd=OEFnaFpoZ2liSm90MFhRUHc5MDRIZz09

Meeting ID: 161 846 9170
Passcode: 024226
One tap mobile
+16692545252,,1618469170#,,,,*024226# US (San Jose)
+16468287666,,1618469170#,,,,*024226# US (New York)

Dial by your location
+1 669 254 5252 US (San Jose)
+1 646 828 7666 US (New York)
+1 551 285 1373 US
+1 669 216 1590 US (San Jose)
Meeting ID: 161 846 9170
Passcode: 024226
Find your local number: https://www.zoomgov.com/u/adi7OuLEHJ
Join by SIP
1618469170@sip.zoomgov.com

Join by H.323
161.199.138.10 (US West)
161.199.136.10 (US East)
Meeting ID: 161 846 9170
Passcode: 024226

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak.

By: */s/ William Zac White*

William "Zac" White - Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☒ hand delivery via process server, ☐ facsimile, ☐ electronic mail, ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Ms. Laura Lynn
9985 Lick Fork Road
Witt Springs, AR 72686

Dated: April 26, 2021

/s/ William Zac White
William Z. White

For my records, please sign where indicated on the enclosed copy of this Notice acknowledging your receipt. Please return the signed copy to me. Your presence is required so please mark your calendar accordingly.

If you have any questions or concerns, then please do not hesitate to contact my office. Thank you.

ACKNOWLEDGED THIS _____ DAY OF _____, 2021.

_____
NAME

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2021-Jun-10 12:45:05
65CV-21-20
C20D01 : 1 Page

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 2

Paragraph 1 Showing Pietrczak Living "Temporarily" in Malvern

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65CV-21-20
C20D01 : 16 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 3

Distribution Check Stubs

UnionBank

JUNE 06, 2012 H

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0005577-005577 941426
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

THIS CHECK WAS PREPARED BY UNION BANK'S BILL PAYING SERVICE AND REPRESENTS OUR MUTUAL CUSTOMER'S PAYMENT TO YOU. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT US AT 1-800-835-6538.

CHECK NBR: 8687168

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 06-05-12	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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2946 GARNET AVENUE
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CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 11-02-12	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 01-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 02-04-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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MARCH 05, 2013 1

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CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 03-04-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 04-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 07-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 08-05-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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CHECK NBR: 1388616

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CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 09-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 10-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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CAPITAL DISTRIBUTION BONUS DISTRIBUTION	8,494.26 10-04-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 11-04-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 12-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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C20D01 : 12 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 5

Pages of Transcript

IN RE THE MATTER OF ARBITRATION BETWEEN:

LAURA LYNN, CLAIMANT, VS. VICKI KAHIA, ET AL., RESPONDENTS.	CASE NO. 37-2013-00041919-CU-BT-CTL

REPORTER'S TRANSCRIPT
MARCH 20, 2014
VOLUME I
PAGES 1 - 189

ARBITRATION OF LAURA LYNN VS. VICKI KAHIA, LOCATED AT 2946 GARNET AVENUE, SAN DIEGO, CALIFORNIA 92109, ON MARCH 20, 2014, AT 9:00., BEFORE DAVID RHOADS, RPR, CSR NO. 13508

EXHIBIT 5

DAVID W. RHOADS, CSR (13508) COURT REPORTER

APPEARANCES:

FOR JAMES JORDAN:

DARYL CUNNINGHAM IDLER, JR. ATTORNEY AT LAW
DARYL CUNNINGHAM IDLER, JR.
3121 WILLOW GLEN DRIVE
RANCHO SAN DIEGO, CALIFORNIA 92019
(619) 972-6081
DIDLER@COTTONWOODGOLF.COM

PRO PER:

LAURA LYNN AND MICHEAL PIETRCZAK
2946 GARNET AVENUE
SAN DIEGO, CALIFORNIA 92109
760-966-6000

FOR JUSTIN EARLEY:

CONNOLLY LAW OFFICE
CHRISTOPHER CONNOLLY
2163 NEWCASTLE AVENUE, SUITE 200
CARDIFF BY THE SEA, CALIFORNIA 92007
619-795-4440
CJC@CONNOLLY-LAWYER.COM

THE ARBITRATOR:

SAN DIEGO NEUTRALS, LLC
MICHEAL BRIGGS, ESQ.
P.O. BOX 1758
LA JOLLA, CALIFORNIA 92038-1758

ALSO PRESENT: JAMES JORDAN

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WITNESS: MICHEAL PIETRCZAK **PAGE**

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WITNESS: JUSTIN EARLEY

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OF.

Q. SO IT'S CURRENTLY LICENSED, AND TO YOUR UNDERSTANDING, IT'S ALWAYS BEEN LICENSED BY THE CITY OF SAN DIEGO TO OPERATE AS A BUSINESS?

A. YES.

Q. AND IS IT IN YOUR NAME, DO YOU KNOW?

A. THE BUSINESS, I THINK, IS IN MY NAME.

Q. AND ARE THERE ANY DOCUMENTS THAT REFLECT ANY FINANCIAL RELATIONSHIP OR OWNERSHIP RELATIONSHIP BETWEEN YOU AND LAURA LYNN WITH RESPECT TO THE ESTATE SALE?

A. PROBABLY. BECAUSE SHE WOULD BRING IN A CHECK EVERY MONTH FOR $7,000. AND IF I CAME UP SHORT WITH RENT HERE, THEN THAT MONEY WOULD GO INTO THE BUSINESS AS CAPITAL. SO WE BOTH PUT OUR MONEY INTO THIS BUSINESS AND WE BOTH PUT OUR TIME INTO THIS BUSINESS. SO I WOULD HAVE TO SAY THAT THE ESTATE SALE BELONGS TO US; HER AS WELL AS ME. BUT --

Q. SO --

A. THAT'S JUST KIND OF HOW MY PERSONAL FEELINGS ARE. I'M NOT -- I DON'T REALLY WORRY TOO MUCH ABOUT MONEY.

Q. OKAY. SO --

A. I MEAN --

Q. YOU'RE BASICALLY SAYING THAT YOU ARE CO-OWNERS OF THE BUSINESS, 50-50; IS THAT A FAIR STATEMENT?

A. THAT WOULD BE FAIR. I MEAN, AS IT IS, I WOULD GIVE THE WHOLE THING TO HER IF SHE WANTED IT.

Q. OKAY. AND IN CONNECTION WITH THE BANK ACCOUNT, YOU MENTIONED THAT LAURA WOULD BRING CHECKS PERIODICALLY AND PUT INTO THE CAPITAL. AND YOU WOULD TURN THE PROCEEDS OF YOUR DAILY SALES BACK INTO THE COMPANY TO KEEP IT GOING, CORRECT?

A. THAT'S CORRECT, YES.

Q. DID THOSE CHECKS GO INTO ONE CENTRAL ACCOUNT OR MORE THAN ONE?

A. YEAH, INTO JUST ONE ACCOUNT. INTO THE MISSION FEDERAL CREDIT UNION. THIS -- THE -- IT'S THE ONLY ACCOUNT THAT I HAVE. IT'S THE ONLY ONE I USE.

Q. AND IS LAURA A SIGNATORY ON THAT ACCOUNT?

A. NO.

Q. HAS SHE EVER BEEN?

A. HM-MM.

Q. SO ALL OF THE EXPENSES AND ALL OF THE TAXES AND ALL OF THE OPERATING EXPENSES WITH RESPECT TO THIS PROPERTY, LICENSE FEES --

A. BOE AND EVERYTHING.

Q. EVERYTHING IS DONE BY YOU?

A. I'VE DONE ALL OF THAT. SHE HELPS ME WITH THE BRAIN WORK ON IT BECAUSE I'M NOT -- I'M NOT, YOU KNOW -- I GRADUATED HIGH SCHOOL. THAT'S PRETTY MUCH IT. I DON'T

HAVE THE BRILLIANT MINDS LIKE YOU GUYS. I'M, AGAIN, MORE OF THE WORKING MAN. SO --

Q. THERE SHOULD BE NO DISTINCTION.

A. DID I EVEN ANSWER YOUR QUESTION?

Q. YES, YOU DID.

A. OKAY.

Q. NOW, THERE WAS A TIME IN YOUR -- IN THE PAST COUPLE OF YEARS WHEN THIS PROPERTY WAS LISTED FOR SALE; IS THAT CORRECT?

A. THERE WAS A COUPLE OF TIMES.

Q. ALL RIGHT. BUT AT SOME POINT IN TIME, THIS PROPERTY WAS LISTED FOR SALE, YES? I'LL BE MORE SPECIFIC. BUT JUST A GENERAL QUESTION, AT SOME POINT IN TIME, YOU BECAME AWARE THAT THIS PROPERTY WAS FOR SALE; IS THAT CORRECT?

A. OH, YEAH. THIS PROPERTY HAS BEEN FOR SALE SINCE WE GOT HERE.

Q. IN FACT, IT WAS -- YOU DISCUSSED -- OR YOU AND LAURA DISCUSSED WITH MR. JORDAN THE PROSPECT OF PURCHASING THE PROPERTY THROUGH LAURA'S MOTHER AND SISTER PRIOR TO SIGNING THE LEASE; IS THAT CORRECT?

A. I DON'T KNOW ABOUT THROUGH THE MOTHER AND SISTER. AND I'LL TELL YOU RIGHT NOW, I WOULD NOT SELL MY FIRST RIGHT TO SOME LADY I BARELY KNOW.

THE ARBITRATOR: I'M JUST GOING TO ASK YOU TO -- TRY

A. NO.
Q. DID YOU LIVE WITH YOUR MOTHER?
A. NO.
Q. DID YOU LIVE WITH YOUR FATHER?
A. NO.
Q. DID YOU KNOW YOUR FATHER?
A. NOT UNTIL I WAS 25 OR 27 YEARS OLD.
Q. DID YOU STILL GO TO SCHOOL?
A. YES. GRADUATED IN 1991.
Q. WHO DID YOU LIVE WITH? WHO YOU WEREN'T LIVING --
A. I WAS BASICALLY COUCH SURFING WITH FRIENDS AND FAMILY. BECAUSE ALL OF MY FRIENDS' MOMS TOOK ME UNDER THEIR WING AS SOMEONE TO CARE FOR, I GUESS.
Q. SO YOU BASICALLY HAVE SUPPORTED YOURSELF SINCE YOU WERE 12?
A. AS MUCH AS A 12-YEAR-OLD IS ALLOWED TO.
Q. AND DO YOU HAVE ANY DEBT THAT YOU KNOW OF?
A. MEDICAL DEBTS. THAT, I HAVE. NO BIG BUSINESS OR ANYTHING LIKE THAT.
Q. OKAY. SO I WANT TO ASK, WHEN -- IF I -- BECAUSE YOU'RE NOT GOOD WITH DATES, IF I TOLD YOU THAT WE MET IN DECEMBER, JUST BEFORE CHRISTMAS OF 2009, WOULD THAT SOUND TRUE?
A. THAT DOES SOUND TRUE. YES.

Q. HOW DO YOU KNOW IT WAS AROUND CHRISTMASTIME?

A. THAT'S WHAT I REMEMBER ABOUT IT, THAT IT WAS AROUND CHRISTMASTIME.

Q. ABOUT HOW MANY DAYS BEFORE YOU CONSIDERED ME TO BE YOUR WIFE?

A. ABOUT THREE DAYS.

Q. AND WHY HAVE WE NOT MARRIED?

A. BECAUSE THERE'S A POSSIBILITY THAT YOU MAY STILL BE MARRIED. AND GOD WOULDN'T HAVE THAT. AND MAN'S LAW DOESN'T APPROVE OF THAT, SO -- AND WELL, TO BE QUITE FRANK, I DON'T WANT CALIFORNIA -- I DON'T WANT TO BE IN A CONTRACT WITH CALIFORNIA FOR MY LOVE FOR YOU BECAUSE IT DOESN'T MAKE SENSE TO ME. I DON'T -- I DON'T REALLY CARE FOR THE THOUGHT OF BEING MARRIED BECAUSE THERE'S ALWAYS THAT DIVORCE, AND THEN THERE'S ALWAYS THE WHO GETS HALF OF WHAT AND ALL THAT GARBAGE. I DON'T WANT NO PART OF THAT.

Q. BUT YOU HAVE AGREED TO MARRY ME -- OR ASKED ME TO MARRY YOU --

A. I DID --

Q. -- IF THE DIVORCE IS EVER FINAL?

A. RIGHT.

Q. IN ANOTHER 17 YEARS.

A. WELL...

Q. BUT YOU DO CONSIDER ME TO BE YOUR WIFE?

A. A HUNDRED PERCENT.

Q. I WANT YOU TO READ THIS -- CAN YOU TELL ME WHAT THIS IS, THIS BOOK?

A. THIS IS A BIBLE.

Q. OKAY. CAN YOU PLEASE READ FROM EPHESIANS 22.

A. EPHESIANS -- NO, THAT'S EPHESIANS 5:22.

Q. 5:22. I'M SORRY.

A. "WIVES, SUBMIT YOURSELVES UNTO YOUR OWN HUSBANDS AS UNTO THE LORD."

Q. AND WHAT DOES THAT MEAN TO YOU?

A. WELL, THAT MEANS TO ME THAT, BECAUSE I GET MY ANSWERS FROM THE LORD, THAT MY WIFE SHOULD RESPECT WHAT I HAVE TO SAY, SO --

Q. DOES IT MEAN THAT I'M YOUR SLAVE?

A. OH, NO, NO, NO, NO. NOT AT ALL. NO, IT JUST MEANS THAT IF I -- IF I AM GETTING MY ANSWERS FROM GOD, THEN YOU SHOULD TRUST TO GET YOUR ANSWERS FROM ME. AND IF I'M NOT GETTING MY ANSWERS FROM GOD, THEN YOU SHOULD ABSOLUTELY DISAGREE WITH ME UNTIL I GET IT RIGHT. BECAUSE THAT'S THE WAY IT'S SUPPOSED TO BE.

Q. WHEN WE MAKE BUSINESS DECISIONS, DO WE DISCUSS EVERYTHING?

A. YES.

Q. IS THERE SOME REASON THAT I HAVEN'T BEEN PUT ON THE BANK ACCOUNT?

THE ARBITRATOR: -- WHERE YOU'RE GOING WITH THIS.

MS. LYNN: I'M JUST SHOWING -- BECAUSE THEY HAD ASKED HIM QUESTIONS ABOUT, LIKE, IF I WAS ON THE BANK ACCOUNT AND IF I WAS PART OWNER TO THIS BUSINESS. AND I'M TRYING TO SHOW THAT THE REASON THAT WE'RE NOT TECHNICALLY LIKE 50-50 IS PARTIALLY BECAUSE WE -- NOT THAT WE'RE AVOIDING, LIKE, PAYING, BECAUSE WE'RE NOT. BUT WE DON'T BELIEVE -- WE JUST DON'T WANT IT TO BE LITIGATED.

THE ARBITRATOR: I ENCOURAGE YOU TO DO IT EFFICIENTLY, BECAUSE THE REASONING BEHIND IT IS SOUND, BUT -- I JUST ENCOURAGE YOU TO THINK ABOUT THE AMOUNT OF TIME YOU HAVE TO PRESENT YOUR CASE AND HOW IMPORTANT THIS IS RELATIVE TO OTHER THINGS.

MS. LYNN: OKAY.

BY MS. LYNN:

Q. SO WHERE I'M GOING WITH IT IS, THE NEXT QUESTION. THEY ASKED YOU IF WE HAD AN EXIT STRATEGY -- THEY DIDN'T USE THAT WORD -- WHAT HAPPENED IF WE BROKE UP -- TO THIS BUSINESS. AND YOU SAID THAT YOU WOULD GIVE IT TO ME.

A. IF YOU WANTED IT OR -- THE WAY I SEE IT IS, WE'RE BOTH 51-51 -- OR 50-50 OR HOWEVER YOU GUYS WANT TO CALL IT. BUT HER AND I BUILT THIS TOGETHER. SO HOWEVER -- WHOEVER IT GOES TO, YOU KNOW, I'M NOT

REALLY...

Q. AND DID YOU PLAN ON EVER NEEDING TO HAVE A CONTRACT WITH ME TO SAY HOW YOU WOULD PAY BACK ANY MONEY FROM MY TRUST FUND THAT WENT INTO THE BUSINESS?

A. NO.

Q. OKAY. BECAUSE THERE WAS NO REASON?

A. THERE WAS NO REASON FOR IT. I TRUST YOU.

Q. THE INCIDENT WHERE YOU WERE IN PRISON FOR -- SOUNDS LIKE 18 MONTHS. I DIDN'T REALIZE IT WAS THAT LONG.

A. I DON'T THINK IT WAS THAT LONG. I THINK I WAS OUT OF THERE IN A YEAR. I DON'T KNOW NOW. I DON'T REMEMBER.

Q. WHEN YOU WERE CAUGHT GOING INTO MEXICO WITH A FALSE ID OF SOME SORT, WERE YOU DRUNK?

A. YES.

Q. AND WERE YOU AN ALCOHOLIC?

A. PRIOR -- YEAH, I AM AN ALCOHOLIC. I AM.

Q. AND HOW LONG HAVE YOU BEEN SOBER?

A. I'VE BEEN SOBER NOW ALMOST SIX YEARS, EXCEPT FOR TWO INCIDENCES. AND BOTH TIMES I WAS VERY UPSET ABOUT WHAT'S GOING ON HERE. AND THE SECOND TIME, I ACTUALLY SET OUT TO KILL MYSELF. AND I SHOULD HAVE BOUGHT THE ROPE BEFORE I BOUGHT THE WHISKEY. BUT SINCE THEN, EVERYTHING IS -- WE'RE TRYING TO MAKE IT ALL

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 6

Story Written About "Laura Pietrczak"

LEGAL NOTICES

IN THE CIRCUIT COURT
OF SEARCY
COUNTY, ARKANSAS
FIRST DIVISION
IN THE MATTER OF THE ESTATE OF JOHN KENT GRIGGS, deceased
No. 65PR-15-22
NOTICE TO CREDITORS

LAST KNOWN ADDRESS OF DECEDENT: 205 Court Street, Leslie, Arkansas 72645
DATE OF DEATH: December 11, 2014

On July 13, 2015, an affidavit of collection of small estate by distributee was filed with respect to the estate of John Kent Griggs, deceased, with the clerk of the probate division of the circuit court of Searcy County, Arkansas, under Ark. Code Ann. § 28-41-101.

All persons having claims against the estate must exhibit them, duly verified, to the distributee or his or her attorney within three (3) months from the date of the first publication of this notice, or they shall be forever barred and precluded from any benefit in the estate.

The name, mailing address, and telephone number of the distributee or distributee's attorney is:

MICHAEL E. KELLY,
Attorney at Law
207 E. Old Main Street
Yellville AR 72687
870-449-4248
ASBAR 71960

Legal No. 1107263-17
Jul 23, 30, 2015

Ron Gillispie Photography
*Portraits *Events
870-504-0651 (cell)
448-5157 (home)

Witts Springs news

By Mary Jones

Community Union held their annual meeting July 23, 2015 at 7 p.m. There were 19 members present. The bylaws were updated and approved. Other items covered were the planned bicycle ride for November, applying for grants for additional improvements, cleaning issues.

Community Voices Game Night will be Friday, August 7 at 6 p.m. There will be bingo and card games. There are other games available for small children as well as coloring books and crayons for them.

Join Laura Pietrzak for Christian "yoga" 2 p.m. Tuesday to Saturday in the Witts Spring Community Center. Because this is just starting, the groups are small, and we customize for you. You may even have a private session. Learn what the learned teaching at Richard Simmons' Anatomy Asylum, Mid-Valley Athletic Club and Grace Chapel of the Ozark to create an hour that is relaxing, revitalizing and invigorating. If you can barely walk to the fridge or if you are a world class athlete, this hour will leave you feeling more comfortable in the body God gave you. And it is free. Just bring a yoga mat.

This week I went to yoga class on Friday and Saturday. Cla... with a script... for the day. Y... with balance, fl... flexibility, and ... They were goo... and centered ... his healing pow...

Just a remi... Community ... of Witts Sp... open from 10 ... p.m. Tuesday ... Saturday. Com... there are card... movies, ... bridge, backg... whatever. Com... some fun.

Witts ... Community ... Store. Items d... eligible for a ... All items are ... each. Inventor... frequently. So, ... check out ou...

Jonesboro, Arkansas!
Memphis Flea Market
Outdoor
Antique
August 1st & 2nd
MEA EXPO CENTER (FAIRGROUNDS)
3601 Johnston Ave. Jonesboro, AR
For information, call
501-202-5415 or 901-276-3532
www.memphisfleamarket.com

If You had a
HOMEOWNER'S
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While insured by any of ... following Insurance Comp...
In the last 5 years,
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Nationwide • State Farm
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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 7

Emails to Pietrczak's First Attorney

Pietrczak - Lynn

From: Laura Lynn (bohemian_books@yahoo.com)

To: billyjackgibson@gmail.com

Date: Sunday, February 19, 2017, 01:26 AM CST

Dear Mr. Gibson,

I am sorry about the odd hour I am writing this email. I presume you won't read it until Monday.

Mike's father, Walter Pietrczak, who goes by "Mr. Pete", spoke to me tonight, finally. He told me Mike is paralyzed from a fall from the tall tree on Mr. Pete's property. (I don't know who owns the property, but think it is either a trust or Mr. Pete's sister "Aunt Mary". Maybe there is insurance money or Mike may be entitled to ownership of that house for having the accident there.) I went unannounced to the property last Thursday. Mike's truck was gone, but Mr. Pete and Aunt Mary's vehicles were there. They said they were in Pine Bluff, so perhaps they are using Mike's truck. I spoke to them by phone and they said I could go in to put the mortgage check on the table and groceries I bought for them in the refrigerator. (While I was inside, a neighbor came in screaming at me and threatened to call the police.)

I then went to the home I was staying in over night that I found on airbnb and mentioned some of this to the owner. Mr. Pete had said Mike was in the hospital for a back surgery, but had not told me about the fall from the tree or a prognosis of him being paralyzed. I tried calling Mike in the hospital and was under the impression there was instructions not to let me speak with him or give me information.

My host turns out to be a relative of yours, Bill Orlicek. Maybe to get to the truth of the matter, you can verify with him that I told him this same information before knowing there was any connection between him and Mike's attorney and before Mr. Pete told me the severity of the injury.

My California Attorney, Michael Early also said you were a decent man. I hope you will try to resolve things in the best interest of your client, realizing I am under no obligation to give Mike more than half our assets as set out in the agreement for if we split up.

You probably noticed Mike is an alcoholic. He is a wonderful man when sober; not so much when drinking. His father is reprehensible. He should not have taken Mike out of the hospital after the first accident. Mr. Pete's home is not conducive to recovering from anything. He has beer there and constant smoking of cigarettes. It is no wonder Mike had so many lung problems. While Mike and Mr. Pete both claimed Mike was sober about six months, I spoke to Mike on occasion and he did not sound sober to me. He was not completely inebriated, and it may just be the influence of prescription pain killers, but he was not quite right.

I think Mr. Pete was motivated by what he anticipated would be a $1,300 per month paycheck from the mortgage money. Mike told me Mr. Pete was investigated by the FBI for a fraud scam collecting charity to "save the Naugas" from which we get naugahyde. Mike also said Mr. Pete was involved with the mafia and that is why one of his wives was murdered. Mr. Pete abandoned Mike with his horribly abusive, drug addicted, alcoholic mother when Mike was an infant. He is not a good choice for guardian or to have power of attorney.

I have started to receive money from my family that was specifically excluded from our separation agreement. I can pay Mike off on the house (his half), or I can continue to make payments. I do want to adjust the interest rate, but can still make the same or even higher payments. It would be paid off sooner. Whatever is best for Mike, who is on welfare and government medical insurance. If I want to help Mike financially more than that, it is my own decision. I definitely would not give Mike anything extra if I know it is going to Mr. Pete.

I am going to California for one week next Saturday. I can visit Mike on Friday and think it would make him happy. He left a voicemail to me before his fall from the tree and he was pleasant and grateful for the mortgage payment I had just made. Maybe he was getting back to his sober self. When I return, I can spend more time

EXHIBIT 7

with Mike, but doubt Mr. Pete will approve. I will hire an Arkansas attorney named Rick Watson if you cannot resolve our issues by my return. I would be happy to meet with you in person.

Laura Lynn

Re: More Pietrczak - Lynn

From: Billy Jack Gibson (billyjackgibson@gmail.com)

To: bohemian_books@yahoo.com

Date: Monday, February 20, 2017, 09:25 AM CST

Dear Ms. Lynn,
Please do not contact me any further regarding any of these issues. My representation of Micheal has concluded.

Sincerely,
Billy Jack Gibson

On Sun, Feb 19, 2017 at 10:26 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

> Dear Mr. Gibson,
>
> I hope you realize what a poor choice Walter Pietrczak ("Mr. Pete") was as someone to have power of attorney or conservatorship. It was at Mr. Pete's house, under Mr. Pete's direction that Mike, perhaps under the influence of alcohol, but definately on prescription drugs, climbed into what Mr. Pete described as a 30 foot high tree, with no safety equipment and with a heavy power tool, suffering a crippling fall.
>
> I had sole and seperate property that was specified as such and was never commingled with Mike's called SSP, LLC. We used the income from SSP, LLC to capitalize The Estate Sale and to live off of while litigating in Kahia. Mike should probably reimburse me for half the money taken out of SSP, LLC, which was significantly more than $150,000. Also, we did not pay the California State taxes that were due for several years. That obigation was paid out of the proceeds from the sale of SSP, LLC. Mike technically should pay half that obligation.
>
> SSP, LLC was worth significantly more than my partners offered to buy it for in 2015. Upon its sale I was able to pay off the entire child support debt to Tim Lynn, $100,000 was withheld to pay California State taxes and I was left with enough to pay Mike $75,000 and invest enough to live comfortably forever.
>
> James Jordan went bankrupt and so we collected none of the $181,000 arbitration award.
>
> Mike, at most, will get $75,000 from me, and maybe much less if he wants to take this to court.
>
> I think it is much to his benefit to settle.
>
> I suggest that you write a special needs trust with Mike as the beneficiary, with me or my children as the survivors. Either you or I would be trustee. I will add money that I meant to tithe to the trust up to no less than $75,000 more, as long as Mike is sober and the trust money is spent on him, not Mr. Pete. I might continue to contribute after that. If my own investments earn over 33% in the first year, as I anticipate, I will invest the remainder of the trust for Mike. Mike will release any obligation for me or the trust to pay any more mortgage.
>
> Though I doubt I would ever get back together with Mike as "husband and wife", I genuinely love him and pray the best for him.
>
> Laura

--

BILLY JACK GIBSON
Attorney at Law
120 W. Second Street
Malvern, Arkansas 72104
Phone: 501-332-2888
Fax: 501-229-2922

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LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 1

Letter Showing Residency in Hope, Arkansas

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

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LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

ANSWER TO COMPLAINT, COUNTERCLAIM AND DEMAND FOR JURY TRIAL

COMES NOW, Separate Defendant named as "Laura Lynn", which the answering defendant believes to be a misnomer for "Laura Lynn Hammett", herein referred to as "Defendant" in pro se, and for her Answer to the Plaintiff's Complaint and Demand for Jury Trial ("Complaint"), states as follows:

1. Defendant is without sufficient information to admit or deny the allegations contained within paragraph 1 of the Complaint, and those allegations are therefore denied at this time with the following exceptions: Defendant admits Pietrczak resided in Searcy County, Arkansas from January 1, 2015 until May 28, 2016, the day Defendant drove Pietrczak to the hospital for severe injuries sustained while he was driving an ATV on the public roads while under the influence of drugs and alcohol; Defendant denies Pietrczak was residing in Searcy County on June 16, 2017 as per the letter of Phyllis Young, CEO of Laurel Brook Healthcare & Rehab Center in Hope, Arkansas filed in State v. Micheal Alexander Pietrczak, Case No. MVC-16-795, in which he was found guilty of driving while intoxicated (A true and correct copy of the letter found on Court Connect is attached hereto

as Exhibit 1); Defendant denies Pietrczak was residing in Searcy County at the time he filed Micheal Pietrczak v. Rural Revival Living Trust; and Laura Lynn, Case No. 65CV-18-8 on January 16, 2018 ("Pietrczak I")(Defendant asks the Court to take judicial notice of Complaint and Demand For Jury Trial in Pietrczak I, paragraph 1, a true and correct copy of the first page attached hereto as Exhibit 2 for the Court's convenience). When Defendant and Pietrczak were negotiating the division of their joint property on several occasions from March 2015 through the filing of this answer, Pietrczak was adamant that he would not live in the remote, conservative and elderly population of Searcy County, especially "on the Mountain" where the Property is located.

2. Defendant denies the allegations contained in paragraph 2 of the Complaint.

3. Defendant Admits to residing in Searcy County, Arkansas from January 1, 2015 until about February 2018. Defendant denies the other allegations contained in paragraph 3 of the Complaint, as she changed her residence about February 2018 and has resided outside Searcy County, Arkansas through the time of filing.

4. Defendant is without sufficient information to admit or deny the allegations contained within paragraph 4 of the Complaint, and those allegations are therefore denied at this time, with the following exception: If Exhibit 1 of the Complaint is an accurate business record, Mr. Walter Pietrczak was the duly authorized agent of Plaintiff on July 26, 2016. Defendant will try to determine if those powers were subsequently revoked during discovery.

5. Paragraph 5 is a legal conclusion and therefore requires no response. To the extent a response is required, Defendant denies the allegations in Paragraph 5.

6. Defendant admits the allegations contained in paragraph 6 of the Complaint, assuming "situation" is a typo and Plaintiff meant "situated".

7. Defendant denies the allegations contained in paragraph 7 of the Complaint.

8. Defendant admits the allegations contained in paragraph 8 of the Complaint, with the understanding these are the "Counts" the Plaintiff espouses, but it is not an exhaustive list of the issues.

9. Defendant denies the allegations contained in paragraph 9 of the Complaint.

10. Defendant admits the allegations contained in paragraph 10 of the Complaint.

11. Defendant denies the allegations contained in paragraph 11 of the Complaint, with only one exclusion. Defendant admits that Pietrczak and Lynn were never married.

12. Defendant admits that she filed the affidavit presented as Exhibit 4 of the Complaint. The document itself is the best evidence, therefore Defendant denies all other allegations that might be inferred from the added verbiage in paragraph 12.

13. Defendant admits the allegations contained in paragraph 13 of the Complaint.

14. Defendant admits the allegations contained in paragraph 14 of the Complaint.

15. Defendant denies the allegations contained in paragraph 15 of the Complaint.

16. Defendant admits the allegations contained in paragraph 16 of the Complaint.

17. Defendant denies the allegations contained in paragraph 17 of the Complaint.

18. Defendant admits the allegations contained in paragraph 18 of the Complaint.

19. Defendant is without sufficient information to admit or deny the allegations contained within paragraph 19 of the Complaint, and those allegations are therefore denied at this time.

20. Defendant is without sufficient information to admit or deny the allegations contained within paragraph 20 of the Complaint, and those allegations are therefore denied at this time.

21. The allegations in paragraph 21 are vague as to time. Therefore, Defendant denies the allegations contained in paragraph 21 of the Complaint.

22. Defendant restates the answer to each averment proceeding incorporated by reference.

23. As to paragraph 23 of the Complaint: Defendant admits "Lynn acting Trustee of the Rural Revival Living Trust as 'Mortgager' and Pietrczak as 'Mortgagee'" executed a Mortgage Agreement, a copy that is attached as Exhibit 5. Defendant denies that the Mortgage Agreement was "to sell/purchase Pietrczak's Lick Fork Property." The document attached as Exhibit 5 of the Complaint is the best evidence. The document used to "sell/purchase" the Property was the Warranty Deed attached as Exhibit 6 to

the Complaint. The transfer fee charged was according to a family transfer and the consideration was "$1.00". The Mortgage Agreement was a separate transaction indebting the Mortgagor and using the Property already deeded to the Mortgagor as security.

24. Defendant admits the Mortgage Agreement states as excerpted in paragraph 24, but denies any inference given to the phrase "in relevant part".

25. Defendant denies the allegations contained in paragraph 25 of the Complaint.

26. Defendant admits the Mortgage Agreement states as excerpted in paragraph 26, but denies any inference given to the phrase "in relevant part".

27. Defendant denies the allegations contained in paragraph 27 of the Complaint.

28. Defendant admits the allegations contained in paragraph 28 of the Complaint.

29. Defendant denies the allegations contained in paragraph 29 of the Complaint.

30. Defendant admits the allegations contained in paragraph 30 of the Complaint.

31. Defendant denies the allegations contained in paragraph 31 of the Complaint. Exhibit 7 of the Complaint shows that the tax billing address was changed to Micheal Pietrczak's address in Malvern, Arkansas. Mortgagor was late paying taxes that first year because Defendant was waiting for the bill to come as a reminder. The taxes were caught up the next year when neighbors reminded Defendant that taxes were due. The taxes are current to date of filing.

32. Defendant admits the allegations contained in paragraph 32 of the Complaint.

33. Defendant denies the allegations contained in paragraph 33 of the Complaint.

34. Defendant admits the Mortgage Agreement states as excerpted in paragraph 34, but denies any inference given to the phrase "in relevant part".

35. Defendant denies the allegations contained in paragraph 35 of the Complaint.

36. Defendant admits the Mortgage Agreement states as excerpted in paragraph 36, but denies any inference given to the phrase "in relevant part".

37. Defendant denies the allegations contained in paragraph 37 of the Complaint.

38. Defendant admits the Mortgage Agreement states as excerpted in paragraph 38, but denies any inference given to the phrase "among in relevant part".

39. Defendant denies the allegations contained in paragraph 39 of the Complaint.

40. Defendant admits the Mortgage Agreement states as excerpted in paragraph 40, but denies any inference given to the phrase "in relevant part".

41. Defendant denies the allegations contained in paragraph 41 of the Complaint.

42. Defendant restates the answer to each averment proceeding incorporated by reference.

43. Paragraph 43 of the Complaint contains no allegations and requires no answer, but to the extent it can be read to require a response Defendant denies any allegations that can be inferred from paragraph 43.

44. Defendant denies the allegations contained in paragraph 44 of the Complaint.

45. Defendant admits that she filed the affidavit presented as Exhibit 4 of the Complaint. The document itself is the best evidence, therefore Defendant

denies all other allegations that might be inferred from the added verbiage in paragraph 45.

46. Defendant admits the allegations contained in paragraph 46 of the Complaint.

47. Defendant denies the allegations contained in paragraph 47 of the Complaint.

48. Defendant admits the allegations contained in paragraph 48 of the Complaint.

49. Defendant admits the allegations contained in paragraph 49 of the Complaint.

50. Defendant admits the allegations contained in paragraph 50 of the Complaint.

51. Defendant admits that "Lynn and/or Rural Revival Living Trust know that Lynn is not a licensed attorney and as such is prevented from preparing legal documents on behalf of Pietrczak and/or Rural Revival Living Trust." Defendant denies the remaining allegations in paragraph 51 of the Complaint.

52. Defendant denies everything Pietrczak alleges in paragraph 52 of the Complaint, except Defendant is without sufficient information to admit or

deny the allegations concerning the "Deatherage Action" because she cannot find such a word in Black's Law Dictionary nor in a cursory search online, and those allegations are therefore denied at this time.

53. Defendant denies the allegations contained in paragraph 53 of the Complaint.

54. Defendant denies the allegations contained in paragraph 54 of the Complaint.

55. Defendant restates the answer to each averment proceeding incorporated by reference.

56. Paragraph 56 recites code, has no allegations and therefore requires no response. To the extent an allegation can be inferred, Defendant denies the allegations in Paragraph 56.

57. Paragraph 57 recites code, has no allegations and therefore requires no response. To the extent an allegation can be inferred, Defendant denies the allegations in Paragraph 57.

58. Defendant denies the allegations contained in paragraph 58 of the Complaint.

59. Defendant denies the allegations contained in paragraph 59 of the Complaint.

60. Defendant denies the allegations contained in paragraph 60 of the Complaint.

61. Paragraph 61 is a prayer for relief, has no allegations and therefore requires no response. To the extent an allegation can be inferred, Defendant denies the allegations in Paragraph 61.

62. Defendant restates the answer to each averment proceeding incorporated by reference.

63. Defendant denies the allegations contained in paragraph 63 of the Complaint.

64. Defendant denies the allegations contained in paragraph 64 of the Complaint.

65. Defendant denies the conclusions contained in paragraph 65 of the complaint.

66. Paragraph 66 is a prayer for relief, has no allegations and therefore requires no response. To the extent an allegation can be inferred, Defendant denies the allegations in Paragraph 66.

67. Paragraph 67 is a prayer for relief, has no allegations and therefore requires no response. To the extent an allegation can be inferred, Defendant denies the allegations in Paragraph 67.

68. Paragraph 68 is a prayer for relief, has no allegations and therefore requires no response. To the extent an allegation can be inferred, Defendant denies the allegations in Paragraph 68.

69. Defendant restates the answer to each averment proceeding incorporated by reference.

70. Defendant denies the conclusions contained in paragraph 70 of the complaint.

71. Defendant denies the conclusions contained in paragraph 71 of the complaint.

72. Defendant denies the allegations contained in paragraph 72 of the complaint.

73. Paragraph 73 is a prayer for relief, has no allegations and therefore requires no response. To the extent an allegation can be inferred, Defendant denies the allegations in Paragraph 73.

74. Defendant restates the answer to each averment proceeding incorporated by reference.

75. Paragraph 75 is a prayer for relief, has no allegations and therefore requires no response. To the extent an allegation can be inferred, Defendant denies the allegations in Paragraph 75.

76. Defendant restates the answer to each averment proceeding incorporated by reference.

77. Defendant denies the allegations contained in paragraph 77 of the complaint.

78. Paragraph 78 is a prayer for relief, has no allegations and therefore requires no response. To the extent an allegation can be inferred, Defendant denies the allegations in Paragraph 78.

79. Defendant admits the allegations contained in paragraph 79 of the Complaint and joins in the same.

80. Paragraph 80 is a prayer for relief, has no allegations and therefore requires no response. To the extent an allegation can be inferred, Defendant denies the allegations in Paragraph 80.

Affirmative Defenses

81. Defendant herein pleads the affirmative defense of insufficiency of service.

82. Defendant herein pleads the affirmative defense of set-off.

83. Defendant herein pleads the affirmative defense of failure of consideration.

84. Defendant herein pleads the affirmative defense of statute of limitations.

85. Defendant herein pleads the affirmative defense of accord and satidfaction.

86. Defendant herein pleads the affirmative defense of res judicata.

87. Defendant herein pleads the affirmative defense of collateral estoppel.

88. Defendant herein pleads the affirmative defense of Failure to state facts upon which relief can be granted.

89. Defendant herein pleads the affirmative defense of laches.

Counterclaim

90. Comes the Separate Counter-claimant Laura Lynn Hammett (Using Counter-claimant's pre-marriage name "Lynn" here to be consistent with Plaintiff and the bulk of the evidence), given the misnomer Laura Lynn by the Plaintiff, and states the following:

91. Lynn incorporates by reference the answer to the Complaint above.

92. Counter-defendant Micheal Pietrczak, ("Pietrczak") and Lynn met in December 2009.

93. Pietrczak had $3.71 to his name.

94. Pietrczak lived in a half-way house.

95. Pietrczak is a convicted felon for having a false identification at the border with Mexico. Pietrczak told Lynn he pled down charges and that he had actually moved illegal immigrants over the border after some drunken adventure.

96. Pietrczak was on probation after a year in Federal prison and was clean and sober.

97. Pietrczak is a lovely person when clean and sober.

98. Unfortunately he started using again, first alcohol, then marijuana.

99. Pietrczak is a monster when abusing substances, a Dr. Jekyl and Mr. Hyde.

100. Lynn was a shareholder in an LLC that paid distributions ranging from $3,000 per month to $14,000 per month.

101. Attached as Exhibit 3 are true and correct copies of pay stubs from June 6, 2012 to December 4, 2013.

102. Lynn thought she and Pietrczak fell in love at first sight.

103. Lynn paid off old debts to government agencies for Pietrczak and helped him get a driver's license.

104. The relationship began to deteriorate when Pietrczak would cajole Lynn into paying for him to start and expand a business.

105. Lynn also helped in the business, long hours.

106. As Pietrczak got intoxicated and smoked more and more marijuana, at a cost of $400 to $600 per week, he had several incidents of incarceration and hospitalization.

107. Lynn has never had a substance abuse problem and didn't drink alcohol at all during their relationship to lessen any temptation for Pietrczak.

108. Pietrczak began going on binges where he disappeared for a week at a time in 2012.

109. Pietrczak started having sleazy and physically dangerous sexual liaisons with prostitutes in 2013.

110. Attached as Exhibit 4 is a true and correct copy of a printout of an ad from Craigslist and the cover of the envelope it was mailed to Lynn inside by an anonymous tipster. It shows Pietrczak advertising for "a hotty" to help him with his business and mentions that he "loves sex".

111. After Lynn and Pietrczak moved to Arkansas in January 2015, Pietrczak had more alcohol induced episodes.

112. Just a sample is that he put an ad for a sexual encounter on Craigslist with a picture of $6,000 cash fanned out and telling the readers what motel he was at in Marshall, Arkansas. Lynn found the ad by running Pietrczak's phone number.

113. Pietrczak and Lynn were together for almost six years with the vast majority of Lynn's income and all of the joint income going into Pietrczak's bank account.

114. Attached here as Exhibit 5 are eleven true and correct pages from a transcript of an arbitration stemming from a real estate dispute, Pietrczak and Lynn as joint plaintiffs in pro se. Laura Lynn v. Vicki Kahia, Case No. 37-2013-000419-CU-BT-CTL. The entire transcript is 583 pages. Lynn will enter the entire transcript as evidence if Plaintiff does not voluntarily dismiss quickly.

115. Plaintiff intends to file a malicious prosecution suit after judicial resolution of this case if the Complaint is not dismissed voluntarily.

116. Page numbers referred to on Exhibit 5 are the hand-written page numbers at the bottom of the page.

117. All the excerpted sections following are examination of Micheal Pietrczak under penalty of perjury.

118. (4:6 to 5:2, Pietrczak cross-examined by defense counsel) Q: AND IS IT IN YOUR NAME, DO YOU KNOW?

119. A: THE BUSINESS, I THINK, IS IN MY NAME.

120. Q: AND ARE THERE ANY DOCUMENTS THAT REFLECT ANY FINANCIAL RELATIONSHIP BETWEEN YOU AND LAURA LYNN WITH RESPECT TO THE ESTATE SALE?

121. A: PROBABLY. BECAUSE SHE WOULD BRING IN A CHECK EVERY MONTH FOR $7,000. AND IF I CAME UP SHORT WITH RENT HERE, THEN THAT MONEY WOULD GO INTO THE BUSINESS AS CAPITAL. SO WE BOTH PUT OUR MONEY INTO THIS BUSINESS AND WE BOTH PUT OUR TIME INTO THIS BUSINESS. SO I WOULD HAVE TO SAY THAT THE ESTATE SALE BELONGS TO US; HER AS WELL AS ME. BUT –

122. Q: OKAY. SO –

123. A: I MEAN –

124. Q: YOU"RE BASICALLY SAYING THAT YOU ARE CO-OWNERS OF THE BUSINESS, 50-50; IS THAT A FAIR STATEMENT?

125. A: THAT WOULD BE FAIR. I MEAN, AS IT IS, I WOULD GIVE THE WHOLE THING TO HER IF SHE WANTED IT.

126. (7:21 to 8:6, Pietrczak under direct by Lynn) Q: Okay. SO I WANT TO ASK WHEN – IF I – BECAUSE YOU'RE NOT GOOD WITH DATES, IF I TOLD YOU THAT WE MET IN DECEMBER, JUST BEFORE CHRISTMAS OF 2009, WOULD THAT SOUND TRUE?

127. A: THAT DOES SOUND TRUE. YES.

128. Q: HOW DO YOU KNOW IT WAS AROUND CHRISTMAS TIME?

129. A: THAT'S WHAT I REMEMBER ABOUT IT, THAT IT WAS AROUND CHRISTMAS TIME.

130. Q: ABOUT HOW MANY DAYS BEFORE YOU CONSIDERED ME TO BE YOUR WIFE?

131. A: ABOUT THREE DAYS.

132. (8:25 to 9:1, Pietrczak under direct by Lynn) Q: BUT YOU DO CONSIDER ME TO BE YOUR WIFE?

133. A: A HUNDRED PERCENT.

134. (10:17 to 11:7, Pietrczak under direct by Lynn) Q: SO WHERE I'M GOING WITH IT IS, THE NEXT QUESTION. THEY ASKED IF WE HAD AN EXIT STRATEGY – THEY DIDN'T USE THAT WORD – WHAT HAPPENED IF WE BROKE UP – TO THIS BUSINESS. AND YOU SAID YOU WOULD GIVE IT TO ME.

135. A: IF YOU WANTED IT OR – THE WAY I SEE IT IS, WE'RE BOTH 51-51 – OR 50-50 OR HOWEVER YOU GUYS WANT TO CALL IT. BUT HER AND I BUILT THIS TOGETHER. SO HOWEVER – WHOEVER IT GOES TO, YOU KNOW, I'M NOT REALLY…

136. Q: AND DID YOU PLAN ON EVER NEEDING TO HAVE A CONTRACT WITH ME TO SAY HOW YOU WOULD PAY BACK ANY MONEY FROM MY TRUST FUND THAT WENT INTO THE BUSINESS?

137. A: NO.

138. Q: OKAY. BECAUSE THERE WAS NO REASON?

139. A: THERE WAS NO REASON FOR IT. I TRUST YOU.

140. Pietrcak and Lynn collected $375,000 from their suit, but were entitled to more. Pietrczak convinced Lynn to put the entirety of $375,000 into his name, and that anything further collected would go into Lynn's name, with the excuse that he hated lawsuits and didn't want to continue as a plaintiff.

141. Pietrczak then threw out most of Lynn's documentation and forbade her from working from home. Instead Lynn had to drive a half hour to Marshall in the winter time to work from an office space she rented. Lynn gave up and collected nothing in her name.

142. Attached as Exhibit 6 is a true and correct copy of a column from the Marshall Mountain Wave, July 30, 2015. It is written by Mary Jones, a community member. In the third column from the left at the bottom before the ad, there is a story about a program offered by "Laura Pietrczak".

143. Pietrczak introduced Lynn as his "wife", and many or most of the community thought Pietrczak and Lynn were married. The couple was definitely a partnership.

144. In February 2015 Pietrczak went on another alcoholic drive about, in which he spent all the money the couple had left (until the next check came for Lynn). He then called Lynn from Texas and had her deposit money into his account, enough for gas to drive home. It was a Saturday and Lynn went to a Seventh Day Adventist church down the mountain in Marshall with her neighbor Naomi Pike and they went through the drive through teller.

145. That is when Lynn started to insist that if Pietrczak was going to keep coming back after his drunken binges, he needed to memorialize their partnership in writing.

146. Lynn also insisted Pietrczak get tested for STDs and allow Lynn to be in the room when the nurse gave him the results, which he complied with.

147. In February 2017, the property owned by the LLC in which Lynn was a shareholder sold and Lynn had enough liquid assets to pay Pietrczak for half the value of the Property.

148. Lynn went to Pietrczak's residence in Malvern, Arkansas, bringing a bag of groceries and hoping to pay him immediately.

149. No one was home. Lynn called Walter Pietrczak.

150. Walter Pietrczak said Micheal Pietrczak had fallen from the tree in their front yard when he had climbed up with a chain saw and without ropes, and that he was paralyzed.

151. Pietrczak had a different attorney than the one who filed this suit. Lynn sent two emails to the attorney, Billy Jack Gibson, offering to pay Pietrczak $75,000 outright and $75.000 in a trust as a "tithe". Mr. Gibson replied that he no longer represented Pietrczak and not to contact him again.

152. A true and correct copy of the three emails is attached as Exhibit 7.

153. Lynn made several other attempts to settle by paying Pietrczak 50% of the amount of the mortgage he held in his name which was equal to 50% of the property held in the trust of which Lynn was trustee.

154. Instead, Pietrczak filed Pietrczak I and the present suit, asking for the value of all remaining joint assets plus triple damages.

Count One for Breach of Contract

155. Counter-claimant incorporates all averments in the answer and counter-claim above as if set for here verbatim.

156. Pietrczak had a contract to split all the assets remaining from when Pietrczak and Lynn were a couple 50/50.

157. The contract was verbal and as filed in writing as Exhibit 3 of the Complaint.

158. Pietrczak also swore under penalty of perjury that it was his intent to pay Lynn back, split everything 50/50 or give Lynn everything.

159. Lynn was ready, willing and able to perform her obligations under the contract, but Pietrczak said he would not quiet title on the property by giving a satisfaction of mortgage.

160. Pietrczak not only refused to effect division of the property, but tried to get six times what his half would be by filing an unverified complaint filled with what would be perjury if verified.

Count Two for Deceit

161. Counter-claimant incorporates all averments in the answer and counter-claim above as if set for here verbatim.

162. Pietrczak made false representations to Lynn that he considered her his "wife", that he would pay her back for letting him use her money to build a business, and that if they split up she would receive at least half their net assets.

163. The sober Pietrczak might not have known he was lying, but the drunk Pietrczak knew exactly what his intent was. It is possible the sober Pietrczak also knew, but was just such a skilled manipulator, he was able to convince Lynn of his remorse after each drunken escapade.

164. Lynn was exceptionally caring and thoughtful to Pietrczak, helping him to understand his alcoholism. Lynn has a unique beauty and is a great conversationalist. She is the first Christian in her extended family. There are plenty of reasons, besides money, that Pietrczak would love her.

165. Lynn relied on Pietrczak's promises that he was with her for love and would not take all her money if they broke up.

166. Lynn is crying as she writes this. The damage done is obvious.

167. Worse than tying up the property in Witts Spring so Lynn can't get her half the value, Pietrczak made Lynn feel betrayed.

168. Lynn paid an attorney $3,000 to defend Pietrczak I.

169. Lynn lost most of her liquid assets in the COVID-Crash on March 16, 2020. So she has spent two 12-hour days writing this answer and counterclaim.

Prayer for Relief

WHEREFORE, premises considered, on the Complaint Defendant prays this Court dismiss the Complaint filed herein against her, for attorney fees and costs for having to defend and for any additional relief she may show herself entitled to at law or equity.

On the Counterclaim, for the breach of contract, Counterclaimant asks that the Property in Witts Spring be sold by a reputable real estate brokerage, and the title quieted as to all parties, with half the proceeds of sale going to Pietrczak and half going to Laura Lynn Hammett. Further, that Pietrczak reimburses Hammett for fees and costs incurred. Because Pietrczak showed malice, asking for Lynn to be investigated for a crime and lying so blatantly to the Court, there should be punitive damages enough to deter Pietrczak from defrauding any other nice old ladies.

For the Deceit, Pietrczak should be ordered to make good his statement that Lynn can take everything, and Lynn should be awarded any monies that the Rural Revival Living Trust is ordered to pay if they lose on a default judgment because they have no representation.

Respectfully submitted,

June 10, 2021 Laura Lynn Hammett, in pro se

By /s/ Laura Lynn Hammett
500 Amity Road Suite Suite 5B #306
Conway, Arkansas 72032
Phone: (760) 966-6000
Email: Bohemian_Books@yahoo.com

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2021-Jun-10 12:45:05
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 4

Ad for "Help" at Business

CL > san diego > city of san diego > personals > rants & raves

reply Posted: 2 days ago

I need a hotty to help me run my business - 41 (294



Hi, my name is Micheal. I'm 41 years old, I love sex, white male, looking fo

* do NOT contact me with unsolicited services or offers

post id: 4420643080 posted: 2 days ago updated: a day ago email to friend

EXHIBIT 4

SAN DIEGO CA 920
23 JAN 2014 PM 2

LAURA LYNN
2946 GARNET AV
SAN DIEGO CA 92121

ATTENTION LAURA LYNN

9214 8901 9403 8382 5546

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2021-Jun-10 17:31:58
65CV-21-20
C20D01 : 5 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 23CV-21-318

MICHEAL PIETRCZAK **PLAINTIFF**

V.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

MOTION FOR CONTINUANCE

COMES NOW, Separate Defendant named as "Laura Lynn", which the answering defendant believes to be a misnomer for "Laura Lynn Hammett", herein referred to as "Defendant" in *pro se*, and for her Motion for Continuance of the Hearing set for August 4, 2021 at 9:00 a.m. states as follows:

1. This case was filed April 23, 2021.
2. Defendant was not aware of the complaint or summons until June 6, 2021.
3. Defendant was researching Micheal Pietrczak v. Rural Revival Living Trust; and Laura Lynn, case number 65-CV-18-8 ("Pietrczak I") on the night of June 6, 2021 when she saw this case was filed.
4. There was no Affidavit of Service or Proof of Service filed.
5. Pietrczak I was dismissed for lack of prosecution on May 1, 2020 and the case closed on May 4, 2020.
6. Because Separate Defendant Laura Lynn cannot defend Separate Defendant Rural Revival Living Trust, Defendant reached out to prior counsel on Pietrczak I, Rick E. Watson.
7. Without waiving attorney client privilege, Defendant states that she is informed and believes that Mr. Watson is no longer taking cases in Searcy County.

8. It may take Defendant some time to find and retain replacement counsel. At the moment, the Rural Revival Living Trust has no liquid assets in the trust, so it would need to be undefended at this time.

9. When hired, replacement counsel will need time to read through thousands of pages of potential documentary evidence.

10. Even though there was no proof of service or affidavit yet, Defendant worried that Pietrczak would take a default judgment.

11. So, Defendant filed a hastily prepared answer and counterclaim as an individual on June 10, 2021; however much of the required discovery is incomplete as the matter has not been fully developed.

12. In order to properly defend this matter Defendant needs time to finish preparing discovery to serve on Plaintiff and may need to depose some potential witnesses.

13. This request for a continuance is not made for purposes of delay but in the interest of having the proper amount of time to complete discovery and to properly prepare for trial of multiple counts pled.

14. No previous requests for a continuance of the final hearing in this matter has been made by any party, and a continuance of this hearing will not unduly prejudice either party.

15. Movant contacted Plaintiff's Counsel's office with regard to this Motion on June 10, 2021, after filing her response, asking if Plaintiff had an objection to a continuance and offering to meet and confer. She also said she was perplexed about why he did not text to ask for Defendant's mailing address. (Presumably the summones were returned undeliverable.)

16. Plaintiff's counsel replied in full: "Ms. Lynn, I am not obligated to text you. I intend to press forward. Thanks for your response."

17. A true and correct copy of the email chain is attached as exhibit 1.

18. This response is especially odd, since service has not been effected. If Rural Revival Living Trust is given time to respond and one set of interrogatories is propounded and answered, we will already be at or close to August 4, 2021.

WHEREFORE, Defendant respectfully asks this Court continue the hearing set for August 4, 2021 at 9:00 a.m. until a later date in time mutually convenient to all parties and the Court; and for such other and additional relief as the Court deems just and proper in law or equity.

Respectfully submitted,

Laura Lynn, Defendant in pro se

By /s/ Laura Lynn Hammett

500 Amity Road Suite Suite 5B #306
Conway, Arkansas 72032
Phone: (760) 966-6000
Email: Bohemian_Books@yahoo.com

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65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 1

Email Chain Regarding Meet and Confer for Continuance

Re: Pietrczak v. Lynn

From: William Z. White (wzwhite@wzwhite.com)

To: bohemian_books@yahoo.com; brooke@wzwhite.com

Date: Thursday, June 10, 2021, 03:44 PM CDT

Ms. Lynn,

I am not obligated to text you. I intend to press forward. Thanks for your response.

On Thu, Jun 10, 2021 at 1:58 PM Laura Lynn <bohemian_books@yahoo.com> wrote:

> Dear Mr. White,
>
> I came across the lawsuit you filed on behalf of Mr. Pietrczak when I checked the status of Pietrczak I.
>
> It perplexes me that you did not try texting me for a valid address to serve.
>
> It seems appropriate to ask the Court to take the final hearing off calendar until we have a chance to do some discovery. Considering the difficulty we had getting Mr. Pietrczak into a deposition last go around, we won't be ready for trial anywhere near August 4.
>
> Please let me know if you want to meet and confer by phone or just email.
>
> Sincerely,
>
> Laura Lynn Hammett

--

Regards,

Zac

William Z. White
Attorney & Counselor at Law
706 West Quitman Street
Heber Springs, AR 72543

Phone: (501) 365-3934
Fax: (501) 365-3935

E-mail: wzwhite@wzwhite.com

Website: www.wzwhite.com

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2021-Jul-12 12:24:52
65CV-21-20
C20D01 : 1 Page

Laura Lynn Hammett
Bohemian_books@yahoo.com
direct dial
(760) 966-6000

July 12, 2021

Via electronic filing

Honorable Susan Weaver
Searcy County Courthouse

Re: Pietrczak v. Rural Revival Living Trust, et al
Searcy County Circuit Court Case No. 65-CV-21-20

Dear Judge Weaver:

Laura Lynn Hammett (given the misnomer Laura Lynn by Plaintiff) filed a Motion for Continuance of the August 4, 2021 Final Hearing on June 10, 2021 on the grounds that no discovery pursuant to Arkansas Rules of Civil Procedure 26 to 37 and 45 had been allowed. Accordingly, Laura Lynn Hammett submits the attached proposed order Continuing the Final Hearing until a date to be determined. If the proposed order meets with your approval, Defendant and Counter-claimant Laura Lynn Hammett respectfully requests that it be entered.

Thank you for your attention to this matter.

Respectfully,

/s/ Laura Lynn Hammett

cc with attachment: All Counsel of Record via electronic filing

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2021-Jul-13 09:42:17
65CV-21-20
C20D01 : 5 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

COUNTER-CLAIMANT LAURA LYNN HAMMETT'S MOTION FOR DEFAULT JUDGMENT AND BRIEF IN SUPPORT THEREOF

Comes now the defendant and counterclaimant in the above-captioned case, Laura Lynn Hammett (given the misnomer "Laura Lynn" by the plaintiff; Using Counter-claimant's pre-marriage name "Lynn" here to be consistent with Plaintiff and the bulk of the evidence), in pro se, pursuant to A.R.C.P. 55; and, for her motion for the entry of a default judgment on her Counterclaim against the plaintiff and counter-defendant, Micheal Pietrczak, states and alleges as follows:

1. Plaintiff Micheal Pietrczak ("Pietrczak") submitted to the jurisdiction of the Court by filing a complaint against answering defendant Lynn on April 23, 2021.
2. The complaint was almost identical to a complaint filed by Pietrczak on January 16, 2018, Case No. 65CV-18-8.
3. Case No. 65CV-18-8 was dismissed on May 1, 2020 based on a lack of prosecution.
4. The present summons and complaint was not served on Lynn pursuant to A.R.C.P. 4 and 5. Lynn discovered the refiled suit when she made an inquiry into the previous suit.
5. Lynn filed an answer and Counterclaim to the present case on June 10, 2021. Because no summons was served, the response was timely.
6. Counsel of record was served the answer and counterclaim electronically as per his agreement to the terms of use of the electronic filing system which states: "You will accept electronic notices through eFlex as a valid and effective service for all electronically filed documents replacing the need for paper notification except for a complaint, petition, or other document that must be served with a summons, in addition to a summons or subpoena."

7. Lynn introduced several arguments that were omitted completely from the complaint. The following paragraphs refer to the Answer and Counterclaim.

8. In paragraphs 93 to 99 Lynn introduced facts that when Pietrczak and Lynn met Pietrczak was an indigent alcoholic on probation for using forged documents at the U.S. border.

9. In paragraphs 100 and 101 Lynn introduced the fact that she had significant assets and income independent of any business she participated in with Pietrczak, commonly earning $7,000 per month.

10. In paragraphs 107 to 112 Lynn introduced facts that characterize Pietrczak as a raging substance abuser and philanderer.

11. In paragraphs 113 to 125 and 134 to 140 Lynn introduced facts that Pietrczak swore under penalty of perjury that he used Lynn's money and Lynn's labor to build a business and bank account that was put into Pietrczak's name solely, and that Lynn could have all the assets if they broke up.

12. In paragraphs 126 to 133 Lynn introduced facts that Pietrczak swore under penalty of perjury that Pietrczak and Lynn were husband and wife in the eyes of God since early 2010.

13. In paragraphs 147 to 154 Lynn introduced facts that show that she made several attempts to give Pietrczak $75,000 cash and that she would "tithe" another $75,000 if it went into a spendthrift trust, and Pietrczak and his attorneys refused to accept that money, opting to file a lawsuit for six times Lynn's generous offer.

14. Counter-Defendant Pietrczak failed to respond to the counterclaim within the 30-day timeframe proscribed by Rule 6(a), (c), and (d), and Rule 12(a)(1), which would be by July 12, 2021 (there being an extra two days because the thirtieth day landed on a Saturday).

15. Because the plaintiff failed to timely file a responsive pleading in which the averments in Hammett's Counterclaim were denied, the averments have been admitted, as per A.R.C.P. 8(d).

16. Lynn respectfully requests the Court to enter an Order in which it finds and decrees that Plaintiff is in default of the Counterclaim, that all averments that were set forth therein are deemed to have been admitted by Plaintiff pursuant to Rule 8(d);

17. The Court's Order should further find and decree that Plaintiff's liability to Hammett based on the Warranty Deed signed by Pietrczak, witnessed by two witnesses and filed as a gift transfer to a trust of which Hammett is the sole beneficiary has been conclusively established by admission of the plaintiff;

18. and the fraud committed by Pietrczak in misrepresenting to Lynn that they were "husband and wife in the eyes of God" and that in the event of a dissolution of their partnership Pietrczak would give Lynn at least 50% of certain properties, up to 100%, including any mortgage that named Pietrczak as the mortgagee has been conclusively established by admission by the Plaintiff;

19. The Court's Order should further find and decree that the purported mortgage on the property gifted to the trust to which Hammett is the sole beneficiary is void because of the fatal flaw of lack of two witnesses and that it is purported to be a legally binding agreement even though a person unauthorized to practice law obligated a trust without legal counsel.

20. Further, the Court's Order should schedule the Counterclaim for trial on damages, for the purpose of enabling the Court to, following trial, enter a Default Judgment in the total amount awarded by jury, all in accordance with A.R.C.P. 55.

Wherefore, the defendant and counterclaimant, Laura Lynn Hammett, prays the Court will grant her motion for a Default Judgment against the plaintiff, Micheal

Pietrczak, in an amount to be proven at a jury trial on damages, including any and all compensatory and punitive damages, attorney's fees and costs in the matter, and any and all other relief to which she may be entitled, whether specifically prayed for or not.

Dated this 13th day of July, 2021.

Respectfully Submitted,

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se
/s/ Laura Lynn Hammett
500 Amity Road, Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I, Laura Lynn Hammett, state that the foregoing document was filed electronically on July 13, 2021, thereby being served on Counsel of record who has agreed to electronic service.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant in pro se
500 Amity Road Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
/s/ Laura Lynn Hammett

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65CV-21-20
C20D01 : 30 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

FIRST SET OF REQUEST FOR ADMISSIONS

PROPOUNDED BY SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT TO PLAINTIFF AND COUNTERDEFENDANT MICHEAL PIETRCZAK

Propounding Party: Laura Lynn Hammett
Responding Party: Micheal A. Pietrczak
Set number: One

You are requested to admit the truth of each of the statements of fact stated herein. Each Request set out below is made pursuant to Arkansas Rule of Civil Procedure 36. The matter is admitted unless the party to whom the request is directed serves upon the party requesting the admission a written answer or objection addressed to the matter, signed by the party or by his attorney, within the timeframes established by Arkansas Rule of Civil Procedure 36.

Be advised that if a party fails to admit the genuineness of any document or the truth of any matter as requested under Arkansas Rule of Civil Procedure 36, and if the party requesting the admissions thereafter proves the genuineness of the document or the truth of the matter, the moving party may apply to the court for an order requiring the other party to pay the reasonable expenses incurred in making that proof.

Pursuant to Arkansas Rules of Civil Procedure 10(c), the Complaint and its exhibits, any amendment, and any substitution, collectively herein as "Complaint" and the Answer to the Complaint and Counterclaim therein, its

exhibits, any amendment, and any substitution, collectively herein as “Answer” is incorporated herein by reference.

DEFINITIONS

The following definitions apply as YOU respond to each Request for Admission hereunder:

“DEFENDANT” means “Defendant and Counter Claimant”, LYNN.

“YOU” means PIETRCZAK, your agents, their agents, your employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf including by power-of-attorney.

“YOUR” means PIETRCZAK’s, your agents, your employees, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf including by power-of-attorney.

The word "PERSON" or “PERSONS” as used herein includes natural persons, firms, partnerships, associations, governmental entities, joint ventures, corporations, professional corporations, business, trusts, banking institutions, unincorporated organizations, and any other legal entity.

"DOCUMENT" means a writing, recording, or photograph, as defined in Arkansas Rule of Evidence 1001, and electronically stored information, as defined infra, and including any drafts of the foregoing. Each and every nonidentical copy of a document (whether different from the original because of stamps, notes, or other marks made upon such copy or otherwise) is itself a separate document as such terms are used herein.

"DOCUMENT" also means any document that did exist, but as of the date or response or production, whichever date is later, has been destroyed, lost, misplaced, or is otherwise unavailable. For any such document, identify the document by date, subject matter, author, addressee, and persons to whom the document was distributed. State whether the document was lost, destroyed, or misplaced, and state the name and address of the person who last had custody of or knowledge of the existence of the document.

The singular shall include the plural and the past tense shall include the present tense, and vice versa.

The word "he" or any other masculine pronoun includes any individual regardless of sex.

"LICK FORK PROPERTY" means 9985 Lick Fork Road, Witts Spring, Arkansas, 72686, as described more particularly in paragraph 9 of the Complaint.

“PIETRCZAK” means the individual whose legal name is Micheal Alexander Pietrczak, also known as Michael Pietrczak, Mike Pietrczak and any other alias for Micheal Alexander Pietrczak.

“LYNN” means the individual whose legal name is Laura Lynn Hammett, also known as Laura Lynn, or Laura Kramer.

“THE TRUSTEE” means Laura Lynn as Trustee of the Rural Revival Living Trust.

REQUEST FOR ADMISSION – TRUTH OF FACTS

Admit that the following facts are true:

REQUEST NUMBER 1

Admit that PIETRCZAK was not a resident of Searcy County, Arkansas at all relevant times of the events that gave rise to this lawsuit.

REQUEST NUMBER 2

Admit that PIETRCZAK resided in Searcy County, Arkansas from January 1, 2015 until no later than May 28, 2016.

REQUEST NUMBER 3

Admit that LYNN was not a resident of Searcy County, Arkansas at all relevant times of the events that gave rise to this lawsuit.

REQUEST NUMBER 4

Admit that Mr. Walter Pietrczak was the duly authorized agent of PIETRCZAK on April 23, 2021 at 11:43:48.

REQUEST NUMBER 5

Admit that YOU alleged all of the facts alleged in the Complaint.

REQUEST NUMBER 6

Admit that Mr. Walter Pietrczak was the duly authorized agent of PIETRCZAK on January 16, 2018 at 14:23:03.

REQUEST NUMBER 7

Admit that the Complaint was filed by YOU maliciously.

REQUEST NUMBER 8

Admit that the complaint filed on January 16, 2018 at 14:23:03, case number 65CV-18-8 was filed by YOU maliciously.

REQUEST NUMBER 9

Admit that PIETRCZAK does not own the LICK FORK PROPERTY.

REQUEST NUMBER 10

Admit that Michael Fuqua and Daphne Fuqua, husband and wife, granted LICK FORK PROPERTY to PIETRCZAK by Warranty Deed filed in Searcy County, Arkansas Book Deed 197, Page 65 -68.

REQUEST NUMBER 11

Admit that there was a real estate transfer tax of $478.50 paid as documented by the documentary symbol in the legally correct amount placed on the instrument filed in Searcy County, Arkansas Book Deed 197, Page 65 – 68 on page 68.

REQUEST NUMBER 12

Admit that $478.50 was the legally correct amount of transfer tax on a property purchase price of $145,000.

REQUEST NUMBER 13

Admit that PIETRCZAK granted the LICK FORK PROPERTY to Laura Lynn as trustee of Rural Revival Living Trust , dated March 22, 2016 by Warranty Deed filed in Searcy County, Arkansas Book Deed 200, Page 606 -609.

REQUEST NUMBER 14

Admit that there was no real estate transfer tax paid on the transfer of the LICK FORK PROPERTY from PIETRCZAK to Laura Lynn as trustee of Rural Revival Living Trust , dated March 22, 2016 because PIETRCZAK represented to the County and Circuit Clerk that the transfer was an interfamily gift transfer.

REQUEST NUMBER 15

Admit that the document attached to the Complaint as Exhibit 3 – Notice, incorporated herein by reference as if set out fully verbatim, was signed by PIETRCZAK.

REQUEST NUMBER 16

Admit that there is no contemporaneous written documentation that PIETRCZAK was incapacitated when he executed the Notice attached to the

Complaint as exhibit 3 – Notice, incorporated herein by reference as if set out fully verbatim.

REQUEST NUMBER 17

Admit that there is no written buy/sell agreement between PIETRCZAK and LYNN for the LICK FORK PROPERTY.

REQUEST NUMBER 18

Admit that there is no written buy/sell agreement between PIETRCZAK and Laura Lynn as trustee of the Rural Revival Living Trust.

REQUEST NUMBER 19

Admit that all contracts for the sale of real property must be in writing pursuant to the Statute of Frauds.

REQUEST NUMBER 20

Admit that Arkansas Code (2016) 18-40-101 states: "All mortgages of real estate shall be proven or acknowledged in the same manner that deeds for the conveyance of real estate are required by law to be proven or acknowledged. When so proven or acknowledged they shall be recorded in the counties in which the lands lie."

REQUEST NUMBER 21

Admit that Arkansas Code (2016) 18-12-104 states: " Deeds and instruments of writing for the conveyance of real estate shall be executed in the presence of two (2) disinterested witnesses or, in default thereof, shall be acknowledged by the grantor in the presence of two (2) such witnesses, who shall then subscribe the deed or instrument in writing for the conveyance of the real estate. When the witnesses do not subscribe the deed or instrument of writing as described in this section at the time of the execution thereof, the date of their subscribing it shall be stated with their signatures."

REQUEST NUMBER 22

Admit that the Warranty Deed transferring the LICK FORK PrOPERTY from PIETRCZAK to Laura Lynn as trustee of Rural Revival Living Trust , dated March 22, 2016 filed in Searcy County, Arkansas Book Deed 200, Page 606 -609 was executed in the presence of two witnesses who signed their names as witnesses before the document was filed.

REQUEST NUMBER 23

Admit that Exhibit 5 - Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim, is alleged by YOU to guaranty the repayment of One Hundred Fifty Thousand Dollars and 00/100 ($150,000.00) from the Rural Revival Living Trust to PIETRCZAK.

REQUEST NUMBER 24

Admit that Exhibit 5 - Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim, is authentically the Mortgage Agreement filed of record with the Searcy County Clerk on March 23, 2016 at 11:30 a.m. within Book: MORT 203; and PG: 427-436.

REQUEST NUMBER 25

Admit that Exhibit 5 - Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim has only one witness, Notary Public Nancy L. Weaver.

REQUEST NUMBER 26

Admit that Exhibit 5 - Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim, has a notary statement that says : “On this day of March, 2016, before me, Laura Lynn, the undersigned

officer, personally appeared Rural Revival Living Trust, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained."

REQUEST NUMBER 27

Admit that Laura Lynn was not the officer undersigned on the Exhibit 5 - Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 28

Admit that Searcy County, Arkansas, County and Circuit Clerk violated Arkansas Code (2016) 18-40-101 when she filed a purported Mortgage Agreement that was not witnessed by two witnesses.

REQUEST NUMBER 29

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was filed in error for lack of a second witness.

REQUEST NUMBER 30

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was filed in error for naming the undersigned notary “Laura Lynn”.

REQUEST NUMBER 31

Admit that a mortgage agreement filed in error should be set aside.

REQUEST NUMBER 32

Admit that as a general rule, the requisites of a valid deed are that there be competent, identifiable parties and subject matter; a valid consideration; effective words expressing the fact of transfer or grant; and formal execution and delivery.

REQUEST NUMBER 33

Admit that Exhibit 7 - 2016 Searcy County Arkansas Tax Statement attached to the Complaint, incorporated by reference herein as if fully set forth, is an authentic business record of the 2016 Tax Statement that includes the real estate tax obligation on the LICK FORK PROPERTY.

REQUEST NUMBER 34

Admit that Exhibit 7 - 2016 Searcy County Arkansas Tax Statement attached to the Complaint, incorporated by reference herein as if fully set forth, was mailed by

Joey Pruitt, Sheriff and Collector to Pietrczak Micheal & Lynn Laura, 903 Lincoln St, Malvern AR 72104 after March 9, 2017.

REQUEST NUMBER 35

Admit that YOU received mail at 903 Lincoln St, Malvern AR 72104 at the time the 2016 Searcy County Arkansas Tax Statement attached to the Complaint as Exhibit 7, incorporated by reference herein as if fully set forth, was mailed.

REQUEST NUMBER 36

Admit that LYNN did not receive mail at 903 Lincoln St, Malvern AR 72104 at the time the 2016 Searcy County Arkansas Tax Statement attached to the Complaint as Exhibit 7, incorporated by reference herein as if fully set forth, was mailed.

REQUEST NUMBER 37

Admit that RURAL REVIVAL LIVING TRUST did not receive mail at 903 Lincoln St, Malvern AR 72104 at the time the 2016 Searcy County Arkansas Tax Statement attached to the Complaint as Exhibit 7, incorporated by reference herein as if fully set forth, was mailed.

REQUEST NUMBER 38

Admit that YOU caused the mailing address for the tax statement for PIETRCZAK and LYNN to be changed to 903 Lincoln St, Malvern AR 72104 on a date between March 22, 2016 and March 9, 2017.

REQUEST NUMBER 39

Admit that YOU did not pay the Real Estate Tax due on the LICK FORK PROPERTY any time after March 22, 2016.

REQUEST NUMBER 40

Admit that LYNN paid the real estate tax due on the LICK FORK PROPERTY between March 22, 2016 and the date this request for admission is propounded.

REQUEST NUMBER 41

Admit that the Searcy County, Arkansas Sheriff and Collector does not allow real estate taxes to be paid unless the personal property taxes on the same bill are current.

REQUEST NUMBER 42

Admit that LYNN was required to pay personal property taxes owed by PIETRCZAK in Searcy County, Arkansas in order to keep the payment of the real estate tax on the LICK FORK PROPERTY current.

REQUEST NUMBER 43

Admit that Lynn, as Trustee of the Rural Revival Living Trust, did not agree to purchase the LICK FORK PROPERTY from PIETRCZAK for a purchase price of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 ($150,000.00) on or about March 22, 2016.

REQUEST NUMBER 44

Admit that pursuant to Smith v. Nat'l Cashflow Sys., Inc., 309 Ark. 101, 827 S.W.2d 146 (1992) an unauthorized practice of law, without other error, would not extinguish or invalidate just debt.

REQUEST NUMBER 45

Admit that PIETRCZAK represented himself in the case of LYNN and PIETRCZAK v. Vicki Kahia, et al, in San Diego Superior Court, 37-2013-00041919-CU-BT-CTL.

REQUEST NUMBER 46

Admit that the Warranty Deed attached to the Complaint as Exhibit 6, incorporated herein by reference as if fully set forth was prepared by LYNN who used an online template drafted by an attorney.

REQUEST NUMBER 47

Admit that LYNN supplied only the names, dates and property description in the template from which she prepared the Warranty Deed attached to the Complaint as Exhibit 6, incorporated herein by reference as if fully set forth.

REQUEST NUMBER 48

Admit that the Warranty Deed attached to the Complaint as Exhibit 6, incorporated herein by reference as if fully set forth, was correct as to all required elements.

REQUEST NUMBER 49

Admit that on the Warranty Deed attached to the Complaint as Exhibit 6, incorporated herein by reference as if fully set forth, PIETRCZAK attested that "[t]he Grantor certifies under penalty of false swearing that the legally correct amount of documentation stamps have been placed on this document."

REQUEST NUMBER 50

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim shows an "Interest Rate" of 10.00 percent calculated annually in paragraph 4.

REQUEST NUMBER 51

Admit that charging an interest rate of 10.00 percent calculated annually on a mortgage in Arkansas was usuary on March 22, 2016.

REQUEST NUMBER 52

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was prepared by both PIETRCZAK and THE TRUSTEE.

REQUEST NUMBER 53

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was prepared starting with a template found online.

REQUEST NUMBER 54

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was prepared starting with a template that was drafted by an attorney.

REQUEST NUMBER 55

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim lacked an acknowledgment and proof by two witnesses.

REQUEST NUMBER 56

Admit that PIETRCZAK does not know if the attorney who drafted the template from which the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was started was authorized to practice law in Arkansas.

REQUEST NUMBER 57

Admit that PIETRCZAK and THE TRUSTEE agreed to cross out a sentence on BK: MORT 203 page 427 of the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 58

Admit that PIETRCZAK and THE TRUSTEE agreed to cross out paragraph 6 of the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 59

Admit that PIETRCZAK and THE TRUSTEE agreed to cross out paragraph 18 of the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 60

Admit that PIETRCZAK and THE TRUSTEE agreed to cross out the word "will" and replace it with the word "may" in paragraph 19 of the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 61

Admit that PIETRCZAK and THE TRUSTEE agreed to cross out the words "or does not visibly and consistently occupy" in paragraph 25(h) of the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 62

Admit that the Rural Revival Living Trust was not represented by a PERSON authorized to practice law in Arkansas when THE TRUSTEE executed the

Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 63

Admit that a trust should not be bound by legal DOCUMENTS executed on its behalf by a PERSON who is not authorized to practice law if there are any technical errors on the DOCUMENT.

REQUEST NUMBER 64

Admit that there was no consideration given by PIETRCZAK to Rural Revival Living Trust to form the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 65

Admit that PIETRCZAK told LYNN that he would gift the LICK FORK PROPERTY to LYNN on March 22, 2016 but he was afraid LYNN'S former spouse would "take" the LICK FORK PROPERTY.

REQUEST NUMBER 66

Admit that on March 22, 2016 PIETRCZAK told LYNN that to protect the LICK FORK PROPERTY from LYNN'S former spouse, LYNN should create a trust for

PIETRCZAK to gift the property to and then encumber the LICK FORK PROPERTY with a mortgage.

REQUEST NUMBER 67

Admit that on March 22, 2016 PIETRCZAK told LYNN that he would use the purported mortgage payments from the Rural Revival Living Trust to rent a property other than the LICK FORK PROPERTY where he could go to get drunk and that he would still live at the LICK FORK PROPERTY "as husband and wife in the eyes of God" when he was not drunk.

REQUEST NUMBER 68

Admit that the Rural Revival Living Trust had no liquid assets other than one dollar ($1.00).

REQUEST NUMBER 69

Admit that LYNN paid the purported mortgage payments to PIETRCZAK from March 22, 2016 to May 23, 2016 from income to LYNN as a shareholder in Silver Strand Plaza, LLC.

REQUEST NUMBER 70

Admit that with each of the two payments made by LYNN to PIETRCZAK from March 22, 2016 to May 23, 2016 PIETRCZAK went on a drunken bender.

REQUEST NUMBER 71

Admit that a few days after the second payment made by LYNN to PIETRCZAK on May 23, 2016 PIETRCZAK drove to the next county to buy alcohol.

REQUEST NUMBER 72

Admit that a few days after the second payment made by LYNN to PIETRCZAK on May 23, 2016 PIETRCZAK drove back to the LICK FORK PROPERTY from the next county while under the influence of alcohol.

REQUEST NUMBER 73

Admit that about May 27 or 28, 2016 PIETRCZAK had a catastrophic accident while riding his ATV.

REQUEST NUMBER 74

Admit that about May 28, 2016 LYNN drove PIETRCZAK to a hospital in Conway.

REQUEST NUMBER 75

Admit that about May 28, 2016 immediately after LYNN drove PIETRCZAK to a hospital in Conway, the hospital in Conway caused PIETRCZAK to be transported by ambulance to UAMS emergency hospital because UAMS is one of the few hospitals in Arkansas that had specialists who could perform the brain surgery that might be required to save PIETRCZAK'S life.

REQUEST NUMBER 76

Admit that when PIETRCZAK was in UAMS hospital about May 28, 2016, he told the social worker that LYNN was his "wife".

REQUEST NUMBER 77

Admit that when PIETRCZAK was in UAMS hospital about May 28, 2016, LYNN said to PIETRCZAK, "I think we should tell them you have a history of drug abuse."

REQUEST NUMBER 78

Admit that when LYNN made the statement as in Request number 72 above, PIETRCZAK responded: "If you do I will kill you."

REQUEST NUMBER 79

Admit that when a social worker called LYNN about May 30, 2016 and told LYNN that PIETRCZAK had to be released to someone who could care for him, LYNN refused to retrieve PIETRCZAK.

REQUEST NUMBER 80

Admit that on or about May 30, 2016 LYNN and PIETRCZAK separated and LYNN no longer considered PIETRCZAK her "husband in the eyes of God".

REQUEST NUMBER 81

Admit that PIETRCZAK is about nine years younger than LYNN who was 54 years old in May 2016.

REQUEST NUMBER 82

Admit that PIETRCZAK advertised on Craigslist about May 27, 2016 for a companion who wanted to travel around with him who was a female between the ages of 18 to 21, with blond hair, blue eyes and petite.

REQUEST NUMBER 83

Admit that about June 23, 2016 LYNN deposited about $658.00 into PIERCZAK'S bank account in Marshall, Arkansas.

REQUEST NUMBER 84

Admit that LYNN said to PIETRCZAK that the payment she made on June 23, 2016 was for half the value of the mortgage on which PIETRCZAK was the mortgagee.

REQUEST NUMBER 85

Admit that the LICK FORK PROPERTY was not worth $658.00 per month plus tax, insurance, and utilities in June 2016.

REQUEST NUMBER 86

Admit that on about July 16, 2016, YOU sent a letter to LYNN demanding the full amount of $1,316.36 per month for a mortgage payment on behalf of the Rural Revival Living Trust.

REQUEST NUMBER 87

Admit that since July 16, 2016 YOU have refused to divide the property accumulated by PIETRCZAK and LYNN between December 2009 and May 30, 2016 as described in the Notice attached to the Complaint as Exhibit 3, incorporated by reference herein as if in its entirety.

REQUEST NUMBER 88

Admit that YOU have paid no money to LYNN since May 30, 2016.

REQUEST NUMBER 89

Admit that PIETRCZAK called LYNN his “wife” and said they were “married in the eyes of God” in order to con the faithful LYNN into sharing her money and her considerable other resources as if PIETRCZAK, LYNN and God were braided together as one.

REQUEST NUMBER 90

Admit that LYNN believed PIETRCZAK and LYNN were “husband and wife in the eyes of God” on February 23, 2015.

REQUEST NUMBER 91

Admit that PIETRCZAK knew PIETRCZAK and LYNN were not “husband and wife in the eyes of God” when he swore that the statement was true “under the laws of the State of Arkansas and in Jesus’ name” on February 23, 2015.

REQUEST NUMBER 92

Admit that caring for an alcoholic and drug addict for six and a half years and then learning that it was a big fraud tore LYNN’S heart out.

Dated June 22, 2021 _____

Laura Lynn Hammett, defendant and counter claimant in pro se

500 Amity Road Suite Suite 5B #306
Conway, Arkansas 72032
Phone: (760) 966-6000
Email: Bohemian_Books@yahoo.com

PROOF OF SERVICE

I am over the age of 18 and not a party to this action.

I am a resident of or employed in the county where the mailing occurred; my business and residence address is: **16 Gold Lake Club Road, Conway, AR 72032**

On June 22, 2021 I served the foregoing document(s) described as: **First Set of Request For Admissions Propounded by Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett Propounded to Plaintiff and Counter-defendant Micheal Pietrczak** to the following parties:

William "Zac" White – Attorney & Counselor at Law

P.O. Box 1087

Heber Springs, AR 72543

[X] (By U.S. Mail) I deposited such envelope in the mail at Conway, Arkansas at the post office on Main Street in the collection box with postage thereon fully prepaid. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Rural Revival Living Trust

c/o Laura Lynn Trustee

16 Gold Lake Club Road

Conway, AR 72032

[x] (By Personal Service) I caused such envelope to be delivered by handing the envelope to Laura Lynn (now Hammett), trustee of the Rural Revival Living Trust at the address above.

I declare under penalty of perjury under the laws of the United States of America and the State of Arkansas that the foregoing is true and correct.

DATED: June 22, 2021 _____

James “Mike” Hammett

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Jul-27 07:24:48
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION TO HAVE FIRST SET OF REQUEST FOR ADMISSIONS PROPOUNDED TO PLAINTIFF AND COUNTERDEFENDANT MICHEAL PIETRCZAK DEEMED ADMITTED

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Lynn"), in pro se, and for her Motion to have First Set of Request For Admissions Propounded to Plaintiff and Counter-defendant Micheal Pietrczak Deemed Admitted, states as follows:

1. This Defendant and counterclaimant served the First Set of Request For Admissions Propounded upon Plaintiff bearing a certificate of Service dated June 22, 2021. A copy of the Request for Admissions is attached as Exhibit 1.

2. Rule 36(a) of the Arkansas Rules of Civil Procedure provides that: "The matter is admitted unless, within thirty (30) days after service of the request, the party to whom the request is directed serves upon the party requesting the admission a written answer or objection addressed to the matter, signed by the party or by his attorney."

3. Pursuant to Arkansas Rules of Civil Procedure 6(d) three days are added for service by mail. Since that day is a Sunday, the Plaintiff's response was due to be served by Monday, July 26, 2021. Plaintiff is represented by counsel, who should know the responses must be filed. If the responses arrive with a postmark of July 26, 2021 or earlier, Lynn will withdraw her motion.

4. As of the date of the filing of this Motion, July 27, 2021, Plaintiff has not filed any responses or objections to Lynn's Request for Admissions.

5. Pursuant to Arkansas Rule of Civil Procedure(36)(a), the Request for Admissions are deemed admitted because of Plaintiffs' failure to respond within the thirty (30) days given.

6. All authority relied upon is cited herein; therefore, no separate Brief is being filed in support of this Motion.

WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays that her Motion to Deem Request for Admissions be granted, and for all other further and proper relief to which she may be entitled.
This 27th day of July, 2021.

Respectfully submitted,

CERTIFICATE OF SERVICE

I hereby certify that, on July 27, 2021 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Motion to have First Set of Request For Admissions Propounded to Plaintiff and Counter-defendant Micheal Pietrczak Deemed Admitted with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

July 27, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Jul-27 07:24:48
65CV-21-20
C20D01 : 31 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 1 To:

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION TO HAVE FIRST SET OF REQUEST FOR ADMISSIONS PROPOUNDED TO PLAINTIFF AND COUNTERDEFENDANT MICHEAL PIETRCZAK DEEMED ADMITTED

Exhibit 1 to: Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Motion to have First Set of Request For Admissions Propounded to Plaintiff and Counter-defendant Micheal Pietrczak Deemed Admitted
Searcy County Circuit Court Case No. 65CV-21-20

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

FIRST SET OF REQUEST FOR ADMISSIONS

PROPOUNDED BY SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT TO PLAINTIFF AND COUNTERDEFENDANT MICHEAL PIETRCZAK

Propounding Party: Laura Lynn Hammett

Responding Party: Micheal A. Pietrczak

Set number: One

You are requested to admit the truth of each of the statements of fact stated herein. Each Request set out below is made pursuant to Arkansas Rule of Civil Procedure 36. The matter is admitted unless the party to whom the request is directed serves upon the party requesting the admission a written answer or objection addressed to the matter, signed by the party or by his attorney, within the timeframes established by Arkansas Rule of Civil Procedure 36.

Be advised that if a party fails to admit the genuineness of any document or the truth of any matter as requested under Arkansas Rule of Civil Procedure 36, and if the party requesting the admissions thereafter proves the genuineness of the document or the truth of the matter, the moving party may apply to the court for an order requiring the other party to pay the reasonable expenses incurred in making that proof.

Pursuant to Arkansas Rules of Civil Procedure 10(c), the Complaint and its exhibits, any amendment, and any substitution, collectively herein as "Complaint" and the Answer to the Complaint and Counterclaim therein, its

exhibits, any amendment, and any substitution, collectively herein as "Answer" is incorporated herein by reference.

DEFINITIONS

The following definitions apply as YOU respond to each Request for Admission hereunder:

"DEFENDANT" means "Defendant and Counter Claimant", LYNN.

"YOU" means PIETRCZAK, your agents, their agents, your employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf including by power-of-attorney.

"YOUR" means PIETRCZAK's, your agents, your employees, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf including by power-of-attorney.

The word "PERSON" or "PERSONS" as used herein includes natural persons, firms, partnerships, associations, governmental entities, joint ventures, corporations, professional corporations, business, trusts, banking institutions, unincorporated organizations, and any other legal entity.

"DOCUMENT" means a writing, recording, or photograph, as defined in Arkansas Rule of Evidence 1001, and electronically stored information, as defined infra, and including any drafts of the foregoing. Each and every nonidentical copy of a document (whether different from the original because of stamps, notes, or other marks made upon such copy or otherwise) is itself a separate document as such terms are used herein.

"DOCUMENT" also means any document that did exist, but as of the date or response or production, whichever date is later, has been destroyed, lost, misplaced, or is otherwise unavailable. For any such document, identify the document by date, subject matter, author, addressee, and persons to whom the document was distributed. State whether the document was lost, destroyed, or misplaced, and state the name and address of the person who last had custody of or knowledge of the existence of the document.

The singular shall include the plural and the past tense shall include the present tense, and vice versa.

The word "he" or any other masculine pronoun includes any individual regardless of sex.

"LICK FORK PROPERTY" means 9985 Lick Fork Road, Witts Spring, Arkansas, 72686, as described more particularly in paragraph 9 of the Complaint.

"PIETRCZAK" means the individual whose legal name is Micheal Alexander Pietrczak, also known as Michael Pietrczak, Mike Pietrczak and any other alias for Micheal Alexander Pietrczak.

"LYNN" means the individual whose legal name is Laura Lynn Hammett, also known as Laura Lynn, or Laura Kramer.

"THE TRUSTEE" means Laura Lynn as Trustee of the Rural Revival Living Trust.

REQUEST FOR ADMISSION – TRUTH OF FACTS

Admit that the following facts are true:

REQUEST NUMBER 1

Admit that PIETRCZAK was not a resident of Searcy County, Arkansas at all relevant times of the events that gave rise to this lawsuit.

REQUEST NUMBER 2

Admit that PIETRCZAK resided in Searcy County, Arkansas from January 1, 2015 until no later than May 28, 2016.

REQUEST NUMBER 3

Admit that LYNN was not a resident of Searcy County, Arkansas at all relevant times of the events that gave rise to this lawsuit.

REQUEST NUMBER 4

Admit that Mr. Walter Pietrczak was the duly authorized agent of PIETRCZAK on April 23, 2021 at 11:43:48.

REQUEST NUMBER 5

Admit that YOU alleged all of the facts alleged in the Complaint.

REQUEST NUMBER 6

Admit that Mr. Walter Pietrczak was the duly authorized agent of PIETRCZAK on January 16, 2018 at 14:23:03.

REQUEST NUMBER 7

Admit that the Complaint was filed by YOU maliciously.

REQUEST NUMBER 8

Admit that the complaint filed on January 16, 2018 at 14:23:03, case number 65CV-18-8 was filed by YOU maliciously.

REQUEST NUMBER 9

Admit that PIETRCZAK does not own the LICK FORK PROPERTY.

REQUEST NUMBER 10

Admit that Michael Fuqua and Daphne Fuqua, husband and wife, granted LICK FORK PROPERTY to PIETRCZAK by Warranty Deed filed in Searcy County, Arkansas Book Deed 197, Page 65 -68.

REQUEST NUMBER 11

Admit that there was a real estate transfer tax of $478.50 paid as documented by the documentary symbol in the legally correct amount placed on the instrument filed in Searcy County, Arkansas Book Deed 197, Page 65 – 68 on page 68.

REQUEST NUMBER 12

Admit that $478.50 was the legally correct amount of transfer tax on a property purchase price of $145,000.

REQUEST NUMBER 13

Admit that PIETRCZAK granted the LICK FORK PROPERTY to Laura Lynn as trustee of Rural Revival Living Trust , dated March 22, 2016 by Warranty Deed filed in Searcy County, Arkansas Book Deed 200, Page 606 -609.

REQUEST NUMBER 14

Admit that there was no real estate transfer tax paid on the transfer of the LICK FORK PROPERTY from PIETRCZAK to Laura Lynn as trustee of Rural Revival Living Trust , dated March 22, 2016 because PIETRCZAK represented to the County and Circuit Clerk that the transfer was an interfamily gift transfer.

REQUEST NUMBER 15

Admit that the document attached to the Complaint as Exhibit 3 – Notice, incorporated herein by reference as if set out fully verbatim, was signed by PIETRCZAK.

REQUEST NUMBER 16

Admit that there is no contemporaneous written documentation that PIETRCZAK was incapacitated when he executed the Notice attached to the

Complaint as exhibit 3 – Notice, incorporated herein by reference as if set out fully verbatim.

REQUEST NUMBER 17

Admit that there is no written buy/sell agreement between PIETRCZAK and LYNN for the LICK FORK PROPERTY.

REQUEST NUMBER 18

Admit that there is no written buy/sell agreement between PIETRCZAK and Laura Lynn as trustee of the Rural Revival Living Trust.

REQUEST NUMBER 19

Admit that all contracts for the sale of real property must be in writing pursuant to the Statute of Frauds.

REQUEST NUMBER 20

Admit that Arkansas Code (2016) 18-40-101 states: "All mortgages of real estate shall be proven or acknowledged in the same manner that deeds for the conveyance of real estate are required by law to be proven or acknowledged. When so proven or acknowledged they shall be recorded in the counties in which the lands lie."

REQUEST NUMBER 21

Admit that Arkansas Code (2016) 18-12-104 states: " Deeds and instruments of writing for the conveyance of real estate shall be executed in the presence of two (2) disinterested witnesses or, in default thereof, shall be acknowledged by the grantor in the presence of two (2) such witnesses, who shall then subscribe the deed or instrument in writing for the conveyance of the real estate. When the witnesses do not subscribe the deed or instrument of writing as described in this section at the time of the execution thereof, the date of their subscribing it shall be stated with their signatures."

REQUEST NUMBER 22

Admit that the Warranty Deed transferring the LICK FORK PrOPERTY from PIETRCZAK to Laura Lynn as trustee of Rural Revival Living Trust , dated March 22, 2016 filed in Searcy County, Arkansas Book Deed 200, Page 606 -609 was executed in the presence of two witnesses who signed their names as witnesses before the document was filed.

REQUEST NUMBER 23

Admit that Exhibit 5 - Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim, is alleged by YOU to guaranty the repayment of One Hundred Fifty Thousand Dollars and 00/100 ($150,000.00) from the Rural Revival Living Trust to PIETRCZAK.

REQUEST NUMBER 24

Admit that Exhibit 5 - Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim, is authentically the Mortgage Agreement filed of record with the Searcy County Clerk on March 23, 2016 at 11:30 a.m. within Book: MORT 203; and PG: 427-436.

REQUEST NUMBER 25

Admit that Exhibit 5 - Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim has only one witness, Notary Public Nancy L. Weaver.

REQUEST NUMBER 26

Admit that Exhibit 5 - Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim, has a notary statement that says : "On this day of March, 2016, before me, Laura Lynn, the undersigned

officer, personally appeared Rural Revival Living Trust, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained."

REQUEST NUMBER 27

Admit that Laura Lynn was not the officer undersigned on the Exhibit 5 - Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 28

Admit that Searcy County, Arkansas, County and Circuit Clerk violated Arkansas Code (2016) 18-40-101 when she filed a purported Mortgage Agreement that was not witnessed by two witnesses.

REQUEST NUMBER 29

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was filed in error for lack of a second witness.

REQUEST NUMBER 30

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was filed in error for naming the undersigned notary "Laura Lynn".

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Admit that a mortgage agreement filed in error should be set aside.

REQUEST NUMBER 32

Admit that as a general rule, the requisites of a valid deed are that there be competent, identifiable parties and subject matter; a valid consideration; effective words expressing the fact of transfer or grant; and formal execution and delivery.

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Admit that Exhibit 7 - 2016 Searcy County Arkansas Tax Statement attached to the Complaint, incorporated by reference herein as if fully set forth, was mailed by

Joey Pruitt, Sheriff and Collector to Pietrczak Micheal & Lynn Laura, 903 Lincoln St, Malvern AR 72104 after March 9, 2017.

REQUEST NUMBER 35

Admit that YOU received mail at 903 Lincoln St, Malvern AR 72104 at the time the 2016 Searcy County Arkansas Tax Statement attached to the Complaint as Exhibit 7, incorporated by reference herein as if fully set forth, was mailed.

REQUEST NUMBER 36

Admit that LYNN did not receive mail at 903 Lincoln St, Malvern AR 72104 at the time the 2016 Searcy County Arkansas Tax Statement attached to the Complaint as Exhibit 7, incorporated by reference herein as if fully set forth, was mailed.

REQUEST NUMBER 37

Admit that RURAL REVIVAL LIVING TRUST did not receive mail at 903 Lincoln St, Malvern AR 72104 at the time the 2016 Searcy County Arkansas Tax Statement attached to the Complaint as Exhibit 7, incorporated by reference herein as if fully set forth, was mailed.

REQUEST NUMBER 38

Admit that YOU caused the mailing address for the tax statement for PIETRCZAK and LYNN to be changed to 903 Lincoln St, Malvern AR 72104 on a date between March 22, 2016 and March 9, 2017.

REQUEST NUMBER 39

Admit that YOU did not pay the Real Estate Tax due on the LICK FORK PROPERTY any time after March 22, 2016.

REQUEST NUMBER 40

Admit that LYNN paid the real estate tax due on the LICK FORK PROPERTY between March 22, 2016 and the date this request for admission is propounded.

REQUEST NUMBER 41

Admit that the Searcy County, Arkansas Sheriff and Collector does not allow real estate taxes to be paid unless the personal property taxes on the same bill are current.

REQUEST NUMBER 42

Admit that LYNN was required to pay personal property taxes owed by PIETRCZAK in Searcy County, Arkansas in order to keep the payment of the real estate tax on the LICK FORK PROPERTY current.

REQUEST NUMBER 43

Admit that Lynn, as Trustee of the Rural Revival Living Trust, did not agree to purchase the LICK FORK PROPERTY from PIETRCZAK for a purchase price of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 ($150,000.00) on or about March 22, 2016.

REQUEST NUMBER 44

Admit that pursuant to Smith v. Nat'l Cashflow Sys., Inc., 309 Ark. 101, 827 S.W.2d 146 (1992) an unauthorized practice of law, without other error, would not extinguish or invalidate just debt.

REQUEST NUMBER 45

Admit that PIETRCZAK represented himself in the case of LYNN and PIETRCZAK v. Vicki Kahia, et al, in San Diego Superior Court, 37-2013-00041919-CU-BT-CTL.

REQUEST NUMBER 46

Admit that the Warranty Deed attached to the Complaint as Exhibit 6, incorporated herein by reference as if fully set forth was prepared by LYNN who used an online template drafted by an attorney.

REQUEST NUMBER 47

Admit that LYNN supplied only the names, dates and property description in the template from which she prepared the Warranty Deed attached to the Complaint as Exhibit 6, incorporated herein by reference as if fully set forth.

REQUEST NUMBER 48

Admit that the Warranty Deed attached to the Complaint as Exhibit 6, incorporated herein by reference as if fully set forth, was correct as to all required elements.

REQUEST NUMBER 49

Admit that on the Warranty Deed attached to the Complaint as Exhibit 6, incorporated herein by reference as if fully set forth, PIETRCZAK attested that "[t]he Grantor certifies under penalty of false swearing that the legally correct amount of documentation stamps have been placed on this document."

REQUEST NUMBER 50

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim shows an "Interest Rate" of 10.00 percent calculated annually in paragraph 4.

REQUEST NUMBER 51

Admit that charging an interest rate of 10.00 percent calculated annually on a mortgage in Arkansas was usuary on March 22, 2016.

REQUEST NUMBER 52

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was prepared by both PIETRCZAK and THE TRUSTEE.

REQUEST NUMBER 53

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was prepared starting with a template found online.

REQUEST NUMBER 54

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was prepared starting with a template that was drafted by an attorney.

REQUEST NUMBER 55

Admit that the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim lacked an acknowledgment and proof by two witnesses.

REQUEST NUMBER 56

Admit that PIETRCZAK does not know if the attorney who drafted the template from which the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim was started was authorized to practice law in Arkansas.

REQUEST NUMBER 57

Admit that PIETRCZAK and THE TRUSTEE agreed to cross out a sentence on BK: MORT 203 page 427 of the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 58

Admit that PIETRCZAK and THE TRUSTEE agreed to cross out paragraph 6 of the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 59

Admit that PIETRCZAK and THE TRUSTEE agreed to cross out paragraph 18 of the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 60

Admit that PIETRCZAK and THE TRUSTEE agreed to cross out the word "will" and replace it with the word "may" in paragraph 19 of the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 61

Admit that PIETRCZAK and THE TRUSTEE agreed to cross out the words "or does not visibly and consistently occupy" in paragraph 25(h) of the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 62

Admit that the Rural Revival Living Trust was not represented by a PERSON authorized to practice law in Arkansas when THE TRUSTEE executed the

Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 63

Admit that a trust should not be bound by legal DOCUMENTS executed on its behalf by a PERSON who is not authorized to practice law if there are any technical errors on the DOCUMENT.

REQUEST NUMBER 64

Admit that there was no consideration given by PIETRCZAK to Rural Revival Living Trust to form the Mortgage Agreement attached to the Complaint as exhibit 5, incorporated herein by reference as if set forth verbatim.

REQUEST NUMBER 65

Admit that PIETRCZAK told LYNN that he would gift the LICK FORK PROPERTY to LYNN on March 22, 2016 but he was afraid LYNN'S former spouse would "take" the LICK FORK PROPERTY.

REQUEST NUMBER 66

Admit that on March 22, 2016 PIETRCZAK told LYNN that to protect the LICK FORK PROPERTY from LYNN'S former spouse, LYNN should create a trust for

PIETRCZAK to gift the property to and then encumber the LICK FORK PROPERTY with a mortgage.

REQUEST NUMBER 67

Admit that on March 22, 2016 PIETRCZAK told LYNN that he would use the purported mortgage payments from the Rural Revival Living Trust to rent a property other than the LICK FORK PROPERTY where he could go to get drunk and that he would still live at the LICK FORK PROPERTY "as husband and wife in the eyes of God" when he was not drunk.

REQUEST NUMBER 68

Admit that the Rural Revival Living Trust had no liquid assets other than one dollar ($1.00).

REQUEST NUMBER 69

Admit that LYNN paid the purported mortgage payments to PIETRCZAK from March 22, 2016 to May 23, 2016 from income to LYNN as a shareholder in Silver Strand Plaza, LLC.

REQUEST NUMBER 70

Admit that with each of the two payments made by LYNN to PIETRCZAK from March 22, 2016 to May 23, 2016 PIETRCZAK went on a drunken bender.

REQUEST NUMBER 71

Admit that a few days after the second payment made by LYNN to PIETRCZAK on May 23, 2016 PIETRCZAK drove to the next county to buy alcohol.

REQUEST NUMBER 72

Admit that a few days after the second payment made by LYNN to PIETRCZAK on May 23, 2016 PIETRCZAK drove back to the LICK FORK PROPERTY from the next county while under the influence of alcohol.

REQUEST NUMBER 73

Admit that about May 27 or 28, 2016 PIETRCZAK had a catastrophic accident while riding his ATV.

REQUEST NUMBER 74

Admit that about May 28, 2016 LYNN drove PIETRCZAK to a hospital in Conway.

REQUEST NUMBER 75

Admit that about May 28, 2016 immediately after LYNN drove PIETRCZAK to a hospital in Conway, the hospital in Conway caused PIETRCZAK to be transported by ambulance to UAMS emergency hospital because UAMS is one of the few hospitals in Arkansas that had specialists who could perform the brain surgery that might be required to save PIETRCZAK'S life.

REQUEST NUMBER 76

Admit that when PIETRCZAK was in UAMS hospital about May 28, 2016, he told the social worker that LYNN was his "wife".

REQUEST NUMBER 77

Admit that when PIETRCZAK was in UAMS hospital about May 28, 2016, LYNN said to PIETRCZAK, "I think we should tell them you have a history of drug abuse."

REQUEST NUMBER 78

Admit that when LYNN made the statement as in Request number 72 above, PIETRCZAK responded: "If you do I will kill you."

REQUEST NUMBER 79

Admit that when a social worker called LYNN about May 30, 2016 and told LYNN that PIETRCZAK had to be released to someone who could care for him, LYNN refused to retrieve PIETRCZAK.

REQUEST NUMBER 80

Admit that on or about May 30, 2016 LYNN and PIETRCZAK separated and LYNN no longer considered PIETRCZAK her "husband in the eyes of God".

REQUEST NUMBER 81

Admit that PIETRCZAK is about nine years younger than LYNN who was 54 years old in May 2016.

REQUEST NUMBER 82

Admit that PIETRCZAK advertised on Craigslist about May 27, 2016 for a companion who wanted to travel around with him who was a female between the ages of 18 to 21, with blond hair, blue eyes and petite.

REQUEST NUMBER 83

Admit that about June 23, 2016 LYNN deposited about $658.00 into PIERCZAK'S bank account in Marshall, Arkansas.

REQUEST NUMBER 84

Admit that LYNN said to PIETRCZAK that the payment she made on June 23, 2016 was for half the value of the mortgage on which PIETRCZAK was the mortgagee.

REQUEST NUMBER 85

Admit that the LICK FORK PROPERTY was not worth $658.00 per month plus tax, insurance, and utilities in June 2016.

REQUEST NUMBER 86

Admit that on about July 16, 2016, YOU sent a letter to LYNN demanding the full amount of $1,316.36 per month for a mortgage payment on behalf of the Rural Revival Living Trust.

REQUEST NUMBER 87

Admit that since July 16, 2016 YOU have refused to divide the property accumulated by PIETRCZAK and LYNN between December 2009 and May 30, 2016 as described in the Notice attached to the Complaint as Exhibit 3, incorporated by reference herein as if in its entirety.

REQUEST NUMBER 88

Admit that YOU have paid no money to LYNN since May 30, 2016.

REQUEST NUMBER 89

Admit that PIETRCZAK called LYNN his "wife" and said they were "married in the eyes of God" in order to con the faithful LYNN into sharing her money and her considerable other resources as if PIETRCZAK, LYNN and God were braided together as one.

REQUEST NUMBER 90

Admit that LYNN believed PIETRCZAK and LYNN were "husband and wife in the eyes of God" on February 23, 2015.

REQUEST NUMBER 91

Admit that PIETRCZAK knew PIETRCZAK and LYNN were not "husband and wife in the eyes of God" when he swore that the statement was true "under the laws of the State of Arkansas and in Jesus' name" on February 23, 2015.

REQUEST NUMBER 92

Admit that caring for an alcoholic and drug addict for six and a half years and then learning that it was a big fraud tore LYNN'S heart out.

Dated June 22, 2021 Laura Hammett

Laura Lynn Hammett, defendant and counter claimant in pro se

500 Amity Road Suite Suite 5B #306
Conway, Arkansas 72032
Phone: (760) 966-6000
Email: Bohemian_Books@yahoo.com

PROOF OF SERVICE

I am over the age of 18 and not a party to this action.

I am a resident of or employed in the county where the mailing occurred; my business and residence address is: **16 Gold Lake Club Road, Conway, AR 72032**

On June 22, 2021 I served the foregoing document(s) described as: **First Set of Request For Admissions Propounded by Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett Propounded to Plaintiff and Counter-defendant Micheal Pietrczak** to the following parties:

William "Zac" White – Attorney & Counselor at Law

P.O. Box 1087

Heber Springs, AR 72543

[X] (By U.S. Mail) I deposited such envelope in the mail at Conway, Arkansas at the post office on Main Street in the collection box with postage thereon fully prepaid. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Rural Revival Living Trust

c/o Laura Lynn Trustee

16 Gold Lake Club Road

Conway, AR 72032

[x] (By Personal Service) I caused such envelope to be delivered by handing the envelope to Laura Lynn (now Hammett), trustee of the Rural Revival Living Trust at the address above.

I declare under penalty of perjury under the laws of the United States of America and the State of Arkansas that the foregoing is true and correct.

DATED: June 22, 2021 _____

James "Mike" Hammett

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Jul-30 15:10:42
65CV-21-20
C20D01 : 3 Pages

Space Reserved for Court Filing Purposes:

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFFS' REPLY TO SEPARATE DEFENDNAT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETTS' MOTION TO HAVE FIRST SET OF REQUESTS FOR ADMISSIONS PROPOUNDED TO PLAINTIFF AND COUNTER DEFENDANT MICHAEL PIETRCZAK DEEMED ADMITTED

Comes now the Plaintiff, via the attorney, William Z. White, who in support of this Plaintiffs' Reply to Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammetts' Motion to Have First Set of Requests for Admissions Propounded to Plaintiff and Counter Defendant Michael Pietrczak Deemed Admitted and allege as follows:

1. Plaintiff denies the allegations contained within paragraph one (1) of Defendants Motion.

2. Plaintiff denies the allegations contained within paragraph two (2) of Defendants Motion.

3. Plaintiff denies the allegations contained within paragraph three (3) of Defendants Motion.

4. Plaintiff denies the allegations contained within paragraph four (4) of Defendants Motion.

5. Plaintiff denies the allegations contained within paragraph five (5) of Defendants Motion.

6. Plaintiff denies the allegations contained within paragraph six (6) of Defendants Motion.

7. Plaintiff denies all allegations contained in Defendants Wherefore paragraph.

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Motion to Have First Set of Requests for Admissions; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiff, Michael Pietrczak.

By: */s/ William Zac White*
William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☒ email, ☐ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Friday, July 30, 21

/s/ William Zac White
William Z. White

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Jul-30 15:10:42
65CV-21-20
C20D01 : 4 Pages

Space Reserved for Court Filing Purposes:

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFFS' REPLY TO COUNTER-CLAIMANT LAURA LYNN HAMMETT'S MOTION FOR DEFAULT JUDGEMENT AND BRIEF IN SUPPORT THEREOF

Comes now the Plaintiff, via the attorney, William Z. White, who in support of this Plaintiffs' Reply to Counter-Claimant Laura Lynn Hammett's Motion for Default Judgment and Brief in Support Thereof and allege as follows:

1. Plaintiff admits the allegations contained within paragraph one (1) of Defendants Motion.

2. Plaintiff denies the allegations contained within paragraph two (2) of Defendants Motion.

3. Plaintiff denies the allegations contained within paragraph three (3) of Defendants Motion.

4. Plaintiff denies the allegations contained within paragraph four (4) of Defendants Motion.

5. Plaintiff denies the allegations contained within paragraph five (5) of Defendants Motion.

6. Plaintiff denies the allegations contained within paragraph six (6) of Defendants Motion.

7. Plaintiff denies the allegations contained within paragraph seven (7) of Defendants Motion.

8. Plaintiff denies the allegations contained within paragraph eight (8) of Defendants Motion.

9. Plaintiff denies the allegations contained within paragraph nine (9) of Defendants Motion.

10. Plaintiff denies the allegations contained within paragraph ten (10) of Defendants Motion.

11. Plaintiff denies the allegations contained within paragraph eleven (11) of Defendants Motion.

12. Plaintiff denies the allegations contained within paragraph twelve (12) of Defendants Motion.

13. Plaintiff denies the allegations contained within paragraph thirteen (13) of Defendants Motion.

14. Plaintiff denies the allegations contained within paragraph fourteen (14) of Defendants Motion.

15. Plaintiff denies the allegations contained within paragraph fifteen (15) of Defendants Motion.

16. Plaintiff denies the allegations contained within paragraph sixteen (16) of Defendants Motion.

17. Plaintiff denies the allegations contained within paragraph seventeen (17) of Defendants Motion.

18. Plaintiff denies the allegations contained within paragraph eighteen (18) of Defendants Motion.

19. Plaintiff denies the allegations contained within paragraph nineteen (19) of Defendants Motion.

20. Plaintiff denies the allegations contained within paragraph twenty (20) of Defendants Motion.

21. Plaintiff denies all allegations contained in Defendants Wherefore paragraph.

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Motion for Default Judgment and Brief in Support Thereof; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiff, Michael Pietrczak.

By: */s/ William Zac White*

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☒ email, ☐ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Friday, July 30, 21

/s/ William Zac White
William Z. White

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Jul-30 15:10:42
65CV-21-20
C20D01 : 4 Pages

Space Reserved for Court Filing Purposes:

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION FOR CONTINUANCE

Comes now the Plaintiff, via the attorney, William Z. White, who in support of this Plaintiffs' Reply to Counter-Claimant Laura Lynn Hammett's Motion for Default Judgment and Brief in Support Thereof and allege as follows:

1. Plaintiff admits the allegations contained within paragraph one (1) of Defendants Motion.

2. Plaintiff denies the allegations contained within paragraph two (2) of Defendants Motion.

3. Plaintiff denies the allegations contained within paragraph three (3) of Defendants Motion.

4. Plaintiff denies the allegations contained within paragraph four (4) of Defendants Motion.

5. Plaintiff denies the allegations contained within paragraph five (5) of Defendants Motion.

6. Plaintiff denies the allegations contained within paragraph six (6) of Defendants Motion.

7. Plaintiff denies the allegations contained within paragraph seven (7) of Defendants Motion.

8. Plaintiff denies the allegations contained within paragraph eight (8) of Defendants Motion.

9. Plaintiff denies the allegations contained within paragraph nine (9) of Defendants Motion.

10. Plaintiff denies the allegations contained within paragraph ten (10) of Defendants Motion.

11. Plaintiff denies the allegations contained within paragraph eleven (11) of Defendants Motion.

12. Plaintiff denies the allegations contained within paragraph twelve (12) of Defendants Motion.

13. Plaintiff denies the allegations contained within paragraph thirteen (13) of Defendants Motion.

14. Plaintiff denies the allegations contained within paragraph fourteen (14) of Defendants Motion.

15. Plaintiff denies the allegations contained within paragraph fifteen (15) of Defendants Motion.

16. Plaintiff denies the allegations contained within paragraph sixteen (16) of Defendants Motion.

17. Plaintiff denies the allegations contained within paragraph seventeen (17) of Defendants Motion.

18. Plaintiff denies the allegations contained within paragraph eighteen (18) of Defendants Motion.

19. Plaintiff denies all allegations contained in Defendants Wherefore paragraph.

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Motion for Continuance; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiffs, Michael Pietrczak

By: *_/s/ William Zac White*

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☒ email, ☐ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Friday, July 30, 21

/s/ William Zac White
William Z. White

ELECTRONICALLY FILED
Searcy County Circuit Court
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2021-Aug-02 11:58:13
65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 21

Cancelled Will

Last Will and Testament

I, Laura Lynn, born August 14, 1962, being of sound mind, will that upon my death, all my worldly possessions are bequeathed to Micheal Pietrczak, excluding any interest in Silver Strand Plaza or property inherited from my parents, Norman Kramer and Sandra Kramer. Kramer property that has been held separately shall pass to my sons Sean Lynn and Branden Lynn in equal share, with Micheal Pietrczak as executor. In the case Micheal Pietrczak passes before I do, Sean Lynn shall be executor.

Witnessed this 23rd day of February, 2015.

Kandyce Ragland Taylor Henderson Linda Watts

Witness

VOID

Laura Lynn

Notary Stamp

State of AR
County of Searcy
The foregoing instrument was acknowledged before me
this 23 day of February 2015
By Laura Judith Lynn
Personally known ___ OR produced identification ✓
Type identification produced _____

Deborah L. Loggins
Notary Public

DEBORAH L. LOGGINS NOTARY PUBLIC ARKANSAS SEARCY COUNTY 12389003 EXPIRES 8-7-2022

VOID

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Aug-02 11:58:13
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 20

Notice and 50/50 Agreement

AFFIDAVIT

I, Laura Lynn, swear under penalty of perjury according to the laws of the State of Arkansas that I am entitled to possession of 9985 Lick Fork Road, Witts Springs, Arkansas along with the owner of title, Micheal Pietrczak. I hereby give actual notice to the world that my possession is as a 50% undivided interest, until such a time as a formal settlement of joint assets is made and I agree to move as part of that settlement, should Micheal Pietrczak and I stop living together as "husband and wife".

The formal property description is: The NW ¼ of the SE ¼ of section 6, T-13-N, R-17-W, Searcy County, Arkansas.

Also giving and granting an easement 16 feet wide along the North boundary line of the NE ¼ of the SE ¼ of section 6, T-13-N, R-17-W, Searcy County, Arkansas, running West from County Road #5, to provide ingress and egress to above lands.

A signed, notarized agreement between Micheal Pietrczak and me is attached hereto.

Date: [illegible] Signed: [illegible]

DEBORAH L LOGGINS NOTARY PUBLIC ARKANSAS SEARCY COUNTY 12388003 EXPIRES 8-7-2022

State of AR
County of Searcy
Subscribed and sworn to (or affirmed) before me this
13 day of March 2015
By Laura Lynn
Personally known X OR produced identification ____
Type identification produced ____
Deborah L Loggins
Notary Public

L201500503
SEARCY CO, AR FEE $20.00
PRESENTED: 03-13-2015 03:35:49 PM
RECORDED: 03-13-2015
DEBBIE LOGGINS
COUNTY AND CIRCUIT CLERK
BY: CARROL RAGLAND
DEPUTY CLERK
BK: MISC 175
PG: 150-151

We, Laura Lynn and Micheal Pietrczak, consider ourselves to be husband and wife in the eyes of God, but do not believe the state has authority to control marriage.

We each agree, that should we separate, we are each entitled to half the property we accumulated since December 2009, excluding any interest in Silver Strand Plaza, LLC or property inherited from Sandra and Norman Kramer, Laura's parents, that has not been comingled. Property includes 9985 Lick Fork Road in Witts Spring, Arkansas, The Estate Sale, the proceeds of litigation against Vicki Kahia, et al, and property bought with income from Silver Strand Plaza, LLC or other inherited income.

We make these statements of our own free will, and swear them to be true and correct under the laws of the State of Arkansas and in Jesus' name.

_____ Date: 2-23-2015

Micheal Pietrczak

_____ Date: 2-23-2015

~~Laura Lynn~~

Notary Stamp

State of AR
County of Searcy
The foregoing instrument was acknowledged before me
this 23 day of February 2015
By Laura Judith Lynn
Personally known ___ OR produced identification ✓
Type identification produced _____

Deborah L Loggins
Notary Public

DEBORAH L. LOGGINS NOTARY PUBLIC ARKANSAS SEARCY COUNTY 12389003 EXPIRES 8-7-2022

State of AR
County of Searcy
The foregoing instrument was acknowledged before me
this 23 day of February 2015
By Micheal Pietrczak
Personally known ___ OR produced identification ✓
Type identification produced _____

Deborah L Loggins
Notary Public

DEBORAH L. LOGGINS NOTARY PUBLIC ARKANSAS SEARCY COUNTY 12389003 EXPIRES 8-7-2022

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Aug-02 11:58:13
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 19

Fuqua to Pietrczak Warranty Deed and Transfer Tax Stamp

* Re-Record to correct spelling of Grantee's name.

After recording please return to:
Conway Title Services & Escrow, Inc.
701 Locust Street
Conway, AR 72034

L201500021
SEARCY CO, AR FEE $30.00
PRESENTED: 01-06-2015 01:18:55 PM
RECORDED: 01-06-2015
DEBBIE LOGGINS
COUNTY AND CIRCUIT CLERK
BY: CARROL RAGLAND
DEPUTY CLERK
BK: DEED 197
PG: 65-68

WARRANTY DEED
MARRIED PERSONS

File #: 1401387-114

KNOW ALL MEN BY THESE PRESENTS:

That we, **Michael Fuqua and Daphne Fuqua, husband and wife**, hereinafter called GRANTOR(S), for and in consideration of the sum of ---One AND 00/100--- DOLLARS---($1.00)---and other good and valuable consideration in hand paid by * Micheal Pietrczak **An Unmarried Person**, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto * Micheal Pietrczak, **An Unmarried Person**, hereinafter called GRANTEE(S), and unto his heirs and assigns forever, the following lands lying in **Searcy** County, **Arkansas** to-wit:

* Micheal Pietrczak

Subject to easements, rights-of-way, and protective covenants of record, if any.
Subject to all prior mineral reservations and oil and gas leases.

TO HAVE AND TO HOLD the same unto the said Grantee(s), and unto his heirs and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said Grantee(s) that we will forever warrant and defend the title to the said lands against all claims whatsoever.

And we, Michael Fuqua and Daphne Fuqua, husband and wife, for and in consideration of the said sum of money, do hereby release and relinquish unto the said Grantee(s) all our rights of curtesy, dower and homestead in and to the said lands.

L201501799
SEARCY CO, AR FEE $30.00
PRESENTED: 09-15-2015 01:44:33 PM
RECORDED: 09-15-2015
DEBBIE LOGGINS
COUNTY AND CIRCUIT CLERK
BY: KANDYCE RAGLAND
DEPUTY CLERK
BK: DEED 199
PG: 141-144

Prepared under the supervision of
Katy M. Sager, Attorney-At-Law
Sager Law Firm, PA
P.O. Box 8212
Fayetteville, AR. 72703

STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp

Proof of Tax Paid

File Number: 1401387-114

Grantee: MICHAEL PIETREZAK
Mailing Address: 9985 LICK FORK ROAD
WITT SPRINGS AR 726860000

Grantor: MICHAEL FUQUA
Mailing Address: 288 KENT ROAD
STAR CITY AR 716670000

Property Purchase Price: $145,000.00
Tax Amount: $478.50

County: SEARCY
Date Issued: 01/05/2015
Stamp ID: 1582694400

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Michael Pietrezak

Grantee or Agent Name (signature): by Conway Title Services as Agent Date: 1/05/2015

Address: 9985 Lick Fork Road

City/State/Zip: Witt Springs, AR 72686

RP 0231

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65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 18

LawDepot Blank Warranty Deed

Prepared by:)
_____)
_____)
)
After recording return to:)
_____)
_____)

Above this line reserved for official use only

Warranty Deed

KNOW ALL MEN BY THESE PRESENTS THAT:

For valuable consideration of $10.00, and other good and valuable consideration, the receipt of which is hereby acknowledged, _____, not married, of _____, (the "Grantor"), does hereby grant, bargain, sell, convey, with general warranty covenants, unto _____ as trustee of _____, dated August 1, 2021, (the "Grantee") as the sole tenant, the following lands and property, together with all improvements located on the property, lying in the County of Searcy, State of Arkansas:

xxx.

Less and except all oil, gas and minerals, on and under the above described property owned by the Grantor, if any, which are reserved by the Grantor.

Subject to all easements, rights-of-way, protective covenants and mineral reservations of record, if any.

The above premises are subject to the following specific encumbrances:

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LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 17

Pietrczak Aknowledgement that I wanted to Split 50/50

BILLY JACK GIBSON

ATTORNEY AT LAW

Mailing Address:
120 W. Second St
Malvern, Arkansas 72104

Phone: 501.332.2888
Fax: 501.229.2922
billyjackgibson@gmail.com

Via U.S. Mail and Certified Mail #7015 1730 0000 1688 8281

July 15, 2016

Ms. Laura Lynn
P.O. Box 14
Witts Springs, AR 72686

RE: *Mortgage Agreement with Michael Pietrczak*

Dear Ms. Lynn,

I have been retained to represent Mr. Michael Pietrczak regarding a Mortgage Agreement drafted and executed by you as the Trustee of the Rural Revival Living Trust on March 22, 2016 and filed with the Searcy County Clerk on March 23, 2016. I have enclosed a copy herein for your reference.

Pursuant to Paragraph 5 of the above-referenced mortgage, Mr. Pietrczak hereby specifies that all future payments shall be made to him under the Mortgage and mailed to his new address of 903 Lincoln Street Malvern, Arkansas 72104.

Additionally, Mr. Pietrczak has informed me that you have recently demanded to make only payments in the amount of 50% of what the mortgage requires. Pursuant to Paragraph 10 of the Mortgage Agreement you are required and obligated to "pay all amounts payable pursuant to this Mortgage and all additional amounts secured by this Mortgage without abatement, set-off, or counterclaim." This means that you are obligated to pay the full amount of each payment under this Agreement.

In the event that you fail to make full timely payments are required under this agreement. Mr. Pietrczak has authorized me to proceed with an action against you for breach of contract and/or foreclosure.

Thank you for your attention to this matter.

Sincerely,

BILLY JACK GIBSON
Attorney at Law

cc: file, Mr. Michael Pietrczak

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RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 16

Certificate of Homelessness

ATTN: Dr Fajerman

TO: Pathfinder

SHELTER PLUS CARE

CERTIFICATION OF HOMELESSNESS IN SAN DIEGO

Applicant Name: Michael Piaseczak

Social Security #: [redacted] 0332

The purpose of this form is to verify the homeless status of the above named applicant who has applied for housing assistance.

HUD Definition of Homelessness

Any individual or family who:

1. Lives on the street; lacks a fixed, regular, adequate night-time residence; or, lives in places not meant for human habitation.

2. Has a primary night-time residence that is:
   - → a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations;
   - → b. An institution that provides transitional housing for homeless persons;
   - c. A short-term stay (up to 30 consecutive days) in an institution who previously resided on the street or in an emergency shelter
   - → d. Person being discharged from a longer stay in an institution
   - e. Being evicted within a week from a private dwelling unit and having no subsequent residence identified and lacking the resources and support network needed to obtain access to housing.

Certification of Qualified Professional

I certify that the person listed above ☒ DOES ☐ DOES NOT meet the above definition of homelessness and that I am **personally aware** of this person(s) night-time living arrangement.

Leon Fajerman M.D.

Print Name

Lic #A33156

9/3/09

Signature / Date

Professional Title

MHS

Name of Agency / Organization

Address

6192917375

Phone / Fax Number

SEP 10 RM 33437

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RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 15

Letter Battery on Police Officer

et al

OFFICE OF THE CITY ATTORNEY
CITY OF SAN DIEGO
JAN I. GOLDSMITH, City Attorney
1200 Third Ave., Suite 700, San Diego, CA 92101

May 24, 2013

MICHAEL PIETRCZAK
2946 GARNET AV
SAN DIEGO, CA 92109

Re: People v. MICHAEL PIETRCZAK
M168073

Dear Michael Pietrczak:

A complaint has been issued by this office and filed in the San Diego Superior Court, Central Division charging you with violation(s) of:

CHARGE	ISSUE TYPE	CHARGE TITLE
PC243(b)	Misdemeanor	BATTERY UPON AN OFFICER AND EMERGENCY PERSONNEL
PC148(a)(1)	Misdemeanor	RESISTING AN OFFICER
PC594(a)(b)(2)(A)	Misdemeanor	VANDALISM UNDER $400
PC647(f)	Misdemeanor	PUBLIC INTOXICATION - DRUGS/OR ALCOHOL
PC602(k)	Misdemeanor	TRESPASS WITH INTENT TO INTERFERE
HS11357(b)		POSSESSION OF MARIJUANA 28.5 GRAMS OR LESS
BP25620		POSSESSION OF OPEN CONTAINER

A date for your arraignment has been set for July 15, 2013 at 12:30 pm in the San Diego Superior Court, Central Division, County Courthouse. Report to DEPARTMENT 1, 220 West Broadway, San Diego, California. It will be necessary for you to submit to the booking process at that time unless it has already been accomplished.

Failure to make this appearance will result in the issuance of a warrant for your arrest.

Sincerely,

Deputy City Attorney

CC: San Diego Superior Court, Central Division, County Courthouse, State of California

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65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

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MICHEAL PIETRCZAK	**PLAINTIFF**
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RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 13

Pietrczak Promise to Give Business to Branden Lynn

FUN FURNITURE, RARE BOOKS, AND OTHER CURIOSITIES

THE ESTATE SALE

2946 GARNET AVENUE
PACIFIC BEACH, CALIFORNIA
92109

Business Propasition

When Buddy runs The Estate Sale completly for 3 years, I will sign everything over to Branden Lyan. During that 3 years He will be paid by us. After that We are outta here,

P.S. It took Laura and me about 3 yrs. to get the business this far.

Have fun
Be Happy
Make it great

MIKE 760-696-7982
LAURA 760-966-6000

Mike

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C20D01 : 14 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 12

Extemporaneous Business

Record of The Estate Sale

Net Profits

Form **1040** Department of the Treasury—Internal Revenue Service (99) **U.S. Individual Income Tax Return** **2011** OMB No. 1545-0074 IRS Use Only—Do not write or staple in this space.

For the year Jan. 1–Dec. 31, 2011, or other tax year beginning , 2011, ending , 20 — See separate instructions.

Your first name and initial	Last name	Your social security number
Michael A.	Pietrzak	[redacted]
If a joint return, spouse's first name and initial	Last name	Spouse's social security number

Home address (number and street). If you have a P.O. box, see instructions. — Apt. no.
2946 Garnet Ave

▲ Make sure the SSN(s) above and on line 6c are correct.

City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions).
Pacific Beach CA 92109

Presidential Election Campaign
Check here if you, or your spouse if filing jointly, want $3 to go to this fund. Checking a box below will not change your tax or refund. ☐ You ☐ Spouse

Foreign country name | Foreign province/county | Foreign postal code

Filing Status

Check only one box.

1 ☑ Single
2 ☐ Married filing jointly (even if only one had income)
3 ☐ Married filing separately. Enter spouse's SSN above and full name here. ▶
4 ☐ Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here. ▶
5 ☐ Qualifying widow(er) with dependent child

Exemptions

6a ☑ **Yourself.** If someone can claim you as a dependent, **do not** check box 6a
b ☐ **Spouse**

c **Dependents:**

(1) First name Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) ✓ if child under age 17 qualifying for child tax credit (see instructions)
			☐
			☐
			☐
			☐

If more than four dependents, see instructions and check here ▶ ☐

d Total number of exemptions claimed

Boxes checked on 6a and 6b 1
No. of children on 6c who:
• **lived with you**
• **did not live with you due to divorce or separation (see instructions)**
Dependents on 6c not entered above
Add numbers on lines above ▶ 1

Income

Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.

If you did not get a W-2, see instructions.

Enclose, but do not attach, any payment. Also, please use Form 1040-V.

7	Wages, salaries, tips, etc. Attach Form(s) W-2		7	00
8a	**Taxable** interest. Attach Schedule B if required		8a	00
b	**Tax-exempt** interest. **Do not** include on line 8a	8b 00		
9a	Ordinary dividends. Attach Schedule B if required		9a	00
b	Qualified dividends	9b 00		
10	Taxable refunds, credits, or offsets of state and local income taxes		10	00
11	Alimony received		11	00
12	Business income or (loss). Attach Schedule C or C-EZ		12	(26979 73)
13	Capital gain or (loss). Attach Schedule D if required. If not required, check here ▶ ☐		13	00
14	Other gains or (losses). Attach Form 4797		14	00
15a	IRA distributions 15a	b Taxable amount	15b	00
16a	Pensions and annuities 16a	b Taxable amount	16b	00
17	Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E		17	00
18	Farm income or (loss). Attach Schedule F		18	00
19	Unemployment compensation		19	00
20a	Social security benefits 20a	b Taxable amount	20b	00
21	Other income. List type and amount		21	00
22	Combine the amounts in the far right column for lines 7 through 21. This is your **total income** ▶		22	(26979 73)

Adjusted Gross Income

23	Educator expenses	23	00	
24	Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24	00	
25	Health savings account deduction. Attach Form 8889	25	00	
26	Moving expenses. Attach Form 3903	26	1763 00	
27	Deductible part of self-employment tax. Attach Schedule SE	27	00	
28	Self-employed SEP, SIMPLE, and qualified plans	28	00	
29	Self-employed health insurance deduction	29	00	
30	Penalty on early withdrawal of savings	30	00	
31a	Alimony paid b Recipient's SSN ▶	31a	00	
32	IRA deduction	32	00	
33	Student loan interest deduction	33	00	
34	Tuition and fees. Attach Form 8917	34	00	
35	Domestic production activities deduction. Attach Form 8903	35	00	
36	Add lines 23 through 35		36	1763 63
37	Subtract line 36 from line 22. This is your **adjusted gross income** ▶		37	(28683 36)

Tax and Credits

38	Amount from line 37 (adjusted gross income)		38	(illegible)
39a	Check if: ☐ **You** were born before January 2, 1947, ☐ Blind. ☐ **Spouse** was born before January 2, 1947, ☐ Blind. **Total boxes checked ▶ 39a**			
b	If your spouse itemizes on a separate return or you were a dual-status alien, check here ▶ **39b** ☐			
40	**Itemized deductions** (from Schedule A) **or** your **standard deduction** (see left margin)		40	5366 00
41	Subtract line 40 from line 38		41	03482 00
42	**Exemptions.** Multiply $3,700 by the number on line 6d		42	3700 00
43	**Taxable income.** Subtract line 42 from line 41. If line 42 is more than line 41, enter -0-		43	00
44	**Tax** (see instructions). Check if any from: **a** ☐ Form(s) 8814 **b** ☐ Form 4972 **c** ☐ 962 election		44	00
45	**Alternative minimum tax** (see instructions). Attach Form 6251		45	00
46	Add lines 44 and 45 ▶		46	00
47	Foreign tax credit. Attach Form 1116 if required	47 00		
48	Credit for child and dependent care expenses. Attach Form 2441	48 00		
49	Education credits from Form 8863, line 23	49 00		
50	Retirement savings contributions credit. Attach Form 8880	50 00		
51	Child tax credit (see instructions)	51 00		
52	Residential energy credits. Attach Form 5695	52 00		
53	Other credits from Form: **a** ☐ 3800 **b** ☐ 8801 **c** ☐	53 00		
54	Add lines 47 through 53. These are your **total credits**		54	00
55	Subtract line 54 from line 46. If line 54 is more than line 46, enter -0- ▶		55	00

Standard Deduction for—
- People who check any box on line 39a or 39b **or** who can be claimed as a dependent, see instructions.
- All others: Single or Married filing separately, $5,800; Married filing jointly or Qualifying widow(er), $11,600; Head of household, $8,500

Other Taxes

56	Self-employment tax. Attach Schedule SE	56	00
57	Unreported social security and Medicare tax from Form: **a** ☐ 4137 **b** ☐ 8919	57	00
58	Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required	58	00
59a	Household employment taxes from Schedule H	59a	00
b	First-time homebuyer credit repayment. Attach Form 5405 if required	59b	00
60	Other taxes. Enter code(s) from instructions	60	00
61	Add lines 55 through 60. This is your **total tax** ▶	61	00

Payments

If you have a qualifying child, attach Schedule EIC.

62	Federal income tax withheld from Forms W-2 and 1099	62 00		
63	2011 estimated tax payments and amount applied from 2010 return	63 00		
64a	**Earned income credit (EIC)**	64a 00		
b	Nontaxable combat pay election **64b**			
65	Additional child tax credit. Attach Form 8812	65 00		
66	American opportunity credit from Form 8863, line 14	66 00		
67	First-time homebuyer credit from Form 5405, line 10	67 00		
68	Amount paid with request for extension to file	68 00		
69	Excess social security and tier 1 RRTA tax withheld	69 00		
70	Credit for federal tax on fuels. Attach Form 4136	70 00		
71	Credits from Form: **a** ☐ 2439 **b** ☐ 8839 **c** ☐ 8801 **d** ☐ 8885	71 00		
72	Add lines 62, 63, 64a, and 65 through 71. These are your **total payments** ▶		72	00

Refund

73	If line 72 is more than line 61, subtract line 61 from line 72. This is the amount you **overpaid**	73	00
74a	Amount of line 73 you want **refunded to you.** If Form 8888 is attached, check here ▶ ☐	74a	00
b	Routing number ▶ **c** Type: ☐ Checking ☐ Savings		
d	Account number		
75	Amount of line 73 you want **applied to your 2012 estimated tax** ▶ 75		

Direct deposit? See instructions.

Amount You Owe

76	**Amount you owe.** Subtract line 72 from line 61. For details on how to pay, see instructions ▶	76	00
77	Estimated tax penalty (see instructions) 77		

Third Party Designee

Do you want to allow another person to discuss this return with the IRS (see instructions)? ☐ **Yes.** Complete below. ☐ **No**

Designee's name ▶ | Phone no. ▶ | Personal identification number (PIN) ▶

Sign Here

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Joint return? See instructions. Keep a copy for your records.

Your signature	Date	Your occupation	Daytime phone number
		self employed	760 896 7982
Spouse's signature. If a joint return, **both** must sign.	Date	Spouse's occupation	If the IRS sent you an Identity Protection PIN, enter it here (see inst.)

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Firm's name ▶			Firm's EIN ▶	
Firm's address ▶			Phone no.	

SCHEDULE C (Form 1040)

Department of the Treasury
Internal Revenue Service (99)

Profit or Loss From Business
(Sole Proprietorship)

▶ For information on Schedule C and its instructions, go to *www.irs.gov/schedulec*
▶ Attach to Form 1040, 1040NR, or 1041; partnerships generally must file Form 1065.

OMB No. 1545-0074

2011

Attachment Sequence No. **09**

Name of proprietor Michael A Petrezak		Social security number (SSN) [redacted]0542
A Principal business or profession, including product or service (see instructions) Sale of refinished used furniture		**B** Enter code from instructions ▶ 4 4 2 2 0 0
C Business name. If no separate business name, leave blank. The Estate Sale		**D** Employer ID number (EIN), (see instr.)
E Business address (including suite or room no.) ▶ 2946 Capitol Ave, Pacific Beach, CA 92109 City, town or post office, state, and ZIP code		

F Accounting method: (1) ☑ Cash (2) ☐ Accrual (3) ☐ Other (specify) ▶

G Did you "materially participate" in the operation of this business during 2011? If "No," see instructions for limit on losses . ☑ Yes ☐ No

H If you started or acquired this business during 2011, check here . . . . . ▶ ☑

I Did you make any payments in 2011 that would require you to file Form(s) 1099? (see instructions) . . . ☐ Yes ☑ No

J If "Yes," did you or will you file all required Forms 1099? . . . . . ☐ Yes ☐ No

Part I Income

1a	Merchant card and third party payments. For 2011, enter -0- . . .	1a	44321	45		
b	Gross receipts or sales not entered on line 1a (see instructions) . .	1b	21636	55		
c	Income reported to you on Form W-2 if the "Statutory Employee" box on that form was checked. **Caution.** See instr. before completing this line	1c				
d	**Total gross receipts.** Add lines 1a through 1c				1d	65958 00
2	Returns and allowances plus any other adjustments (see instructions) . . .				2	00
3	Subtract line 2 from line 1d				3	65958 00
4	Cost of goods sold (from line 42)				4	35161 00
5	**Gross profit.** Subtract line 4 from line 3				5	30797 00
6	Other income, including federal and state gasoline or fuel tax credit or refund (see instructions) . . .				6	00
7	**Gross income.** Add lines 5 and 6 . . . . . ▶				7	30797 00

Part II Expenses

Enter expenses for business use of your home only on line 30.

8	Advertising	8	1521	00	18	Office expense (see instructions)	18	250 00
9	Car and truck expenses (see instructions)	9	4053	75	19	Pension and profit-sharing plans .	19	00
10	Commissions and fees .	10		00	20	Rent or lease (see instructions):		
11	Contract labor (see instructions)	11	3300	00	a	Vehicles, machinery, and equipment	20a	00
12	Depletion	12		00	b	Other business property . . .	20b	23800 00
13	Depreciation and section 179 expense deduction (not included in Part III) (see instructions)	13	445	00	21	Repairs and maintenance . . .	21	7000 00
14	Employee benefit programs (other than on line 19) . .	14		00	22	Supplies (not included in Part III) .	22	00
15	Insurance (other than health)	15		00	23	Taxes and licenses	23	4781 96
16	Interest:				24	Travel, meals, and entertainment:		
a	Mortgage (paid to banks, etc.)	16a		00	a	Travel	24a	400 00
b	Other	16b		00	b	Deductible meals and entertainment (see instructions) .	24b	9125 00
17	Legal and professional services	17		00	25	Utilities	25	2400 00
					26	Wages (less employment credits) .	26	00
					27a	Other expenses (from line 48) . .	27a	00
					b	**Reserved for future use** . . .	27b	00
28	**Total expenses** before expenses for business use of home. Add lines 8 through 27a . . . . . ▶						28	57776 71
29	Tentative profit or (loss). Subtract line 28 from line 7						29	(26979 71)
30	Expenses for business use of your home. Attach **Form 8829.** Do **not** report such expenses elsewhere . .						30	00
31	**Net profit or (loss).** Subtract line 30 from line 29. • If a profit, enter on both **Form 1040, line 12** (or **Form 1040NR, line 13**) and on **Schedule SE, line 2.** If you entered an amount on line 1c, see instr. Estates and trusts, enter on **Form 1041, line 3.** • If a loss, you **must** go to line 32.						31	(26979 71)
32	If you have a loss, check the box that describes your investment in this activity (see instructions). • If you checked 32a, enter the loss on both **Form 1040, line 12,** (or **Form 1040NR, line 13**) and on **Schedule SE, line 2.** If you entered an amount on line 1c, see the instructions for line 31. Estates and trusts, enter on **Form 1041, line 3.** • If you checked 32b, you **must** attach **Form 6198.** Your loss may be limited.						32a ☑ All investment is at risk. 32b ☐ Some investment is not at risk.	

Part III Cost of Goods Sold (see instructions)

33 Method(s) used to value closing inventory: a ☑ Cost b ☐ Lower of cost or market c ☐ Other (attach explanation)

34 Was there any change in determining quantities, costs, or valuations between opening and closing inventory? If "Yes," attach explanation . . . . . ☐ Yes ☑ No

35	Inventory at beginning of year. If different from last year's closing inventory, attach explanation	35		00
36	Purchases less cost of items withdrawn for personal use	36	12576	00
37	Cost of labor. Do not include any amounts paid to yourself	37	4500	00
38	Materials and supplies	38	2403	00
39	Other costs	39		00
40	Add lines 35 through 39	40	38769	00
41	Inventory at end of year	41	3627	00
42	**Cost of goods sold.** Subtract line 41 from line 40. Enter the result here and on line 4	42	35161	00

Part IV Information on Your Vehicle. Complete this part only if you are claiming car or truck expenses on line 9 and are not required to file Form 4562 for this business. See the instructions for line 13 to find out if you must file Form 4562.

43 When did you place your vehicle in service for business purposes? (month, day, year) ▶ 01 / 01 / 2011

44 Of the total number of miles you drove your vehicle during 2011, enter the number of miles you used your vehicle for:

a Business 9125 b Commuting (see instructions) _____ c Other _____

45 Was your vehicle available for personal use during off-duty hours? . . . . . ☐ Yes ☑ No

46 Do you (or your spouse) have another vehicle available for personal use? . . . . . ☐ Yes ☑ No

47a Do you have evidence to support your deduction? . . . . . ☑ Yes ☐ No

b If "Yes," is the evidence written? . . . . . ☑ Yes ☐ No

Part V Other Expenses. List below business expenses not included on lines 8–26 or line 30.

48	**Total other expenses.** Enter here and on line 27a	48		

RP 0246

Form **3903**

Department of the Treasury
Internal Revenue Service (99)

Moving Expenses

▶ **Attach to Form 1040 or Form 1040NR.**

OMB No. 1545-0074

2011

Attachment Sequence No. **170**

Name(s) shown on return

Michael A. Pezzuti

Your social security number

[redacted]

Before you begin: ✓ See the **Distance Test** and **Time Test** in the instructions to find out if you can deduct your moving expenses.

✓ See **Members of the Armed Forces** in the instructions, if applicable.

1	Transportation and storage of household goods and personal effects (see instructions) . . .	1	[illegible]	[illegible]
2	Travel (including lodging) from your old home to your new home (see instructions). **Do not** include the cost of meals	2	[illegible]	[illegible]
3	Add lines 1 and 2	3	[illegible]	[illegible]
4	Enter the total amount your employer paid you for the expenses listed on lines 1 and 2 that is **not** included in box 1 of your Form W-2 (wages). This amount should be shown in box 12 of your Form W-2 with code **P**	4		[illegible]
5	Is line 3 **more than** line 4?			
	☐ **No.** You **cannot** deduct your moving expenses. If line 3 is less than line 4, subtract line 3 from line 4 and include the result on Form 1040, line 7, or Form 1040NR, line 8.			
	☑ **Yes.** Subtract line 4 from line 3. Enter the result here and on Form 1040, line 26, or Form 1040NR, line 26. This is your **moving expense deduction**	5	[illegible]	[illegible]

Form **1040** Department of the Treasury—Internal Revenue Service (99) **U.S. Individual Income Tax Return** **2013** OMB No. 1545-0074 IRS Use Only—Do not write or staple in this space.

For the year Jan. 1–Dec. 31, 2013, or other tax year beginning , 2013, ending , 20 — See separate instructions.

Your first name and initial	Last name	Your social security number
Micheal A.	Pietrczak	[redacted] 0 3 3 2
If a joint return, spouse's first name and initial	Last name	Spouse's social security number

Home address (number and street). If you have a P.O. box, see instructions. — Apt. no.
2946 Garnet Avenue

▲ Make sure the SSN(s) above and on line 6c are correct.

City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions).
San Diego, CA 92109

Foreign country name | Foreign province/state/county | Foreign postal code

Presidential Election Campaign
Check here if you, or your spouse if filing jointly, want $3 to go to this fund. Checking a box below will not change your tax or refund. ☐ You ☐ Spouse

Filing Status

Check only one box.

1 ☑ Single
2 ☐ Married filing jointly (even if only one had income)
3 ☐ Married filing separately. Enter spouse's SSN above and full name here. ▶
4 ☐ Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here. ▶
5 ☐ Qualifying widow(er) with dependent child

Exemptions

6a ☑ **Yourself.** If someone can claim you as a dependent, **do not** check box 6a
b ☐ **Spouse**

c **Dependents:** (1) First name Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) ✓ if child under age 17 qualifying for child tax credit (see instructions)
			☐
			☐
			☐
			☐

If more than four dependents, see instructions and check here ▶ ☐

d Total number of exemptions claimed

Boxes checked on 6a and 6b 1
No. of children on 6c who:
• **lived with you**
• **did not live with you due to divorce or separation (see instructions)**
Dependents on 6c not entered above
Add numbers on lines above ▶ 1

Income

Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.

If you did not get a W-2, see instructions.

7	Wages, salaries, tips, etc. Attach Form(s) W-2	7	00
8a	**Taxable** interest. Attach Schedule B if required	8a	00
b	**Tax-exempt** interest. **Do not** include on line 8a (8b)		
9a	Ordinary dividends. Attach Schedule B if required	9a	00
b	Qualified dividends (9b)		
10	Taxable refunds, credits, or offsets of state and local income taxes	10	00
11	Alimony received	11	00
12	Business income or (loss). Attach Schedule C or C-EZ	12	(20237 50)
13	Capital gain or (loss). Attach Schedule D if required. If not required, check here ▶ ☐	13	00
14	Other gains or (losses). Attach Form 4797	14	00
15a	IRA distributions (15a) b Taxable amount	15b	00
16a	Pensions and annuities (16a) b Taxable amount	16b	00
17	Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E	17	00
18	Farm income or (loss). Attach Schedule F	18	00
19	Unemployment compensation	19	00
20a	Social security benefits (20a) b Taxable amount	20b	00
21	Other income. List type and amount	21	00
22	Combine the amounts in the far right column for lines 7 through 21. This is your **total income** ▶	22	(20237 50)

Adjusted Gross Income

23	Educator expenses	23	00	
24	Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24	00	
25	Health savings account deduction. Attach Form 8889	25	00	
26	Moving expenses. Attach Form 3903	26	00	
27	Deductible part of self-employment tax. Attach Schedule SE	27	00	
28	Self-employed SEP, SIMPLE, and qualified plans	28	00	
29	Self-employed health insurance deduction	29	00	
30	Penalty on early withdrawal of savings	30	00	
31a	Alimony paid b Recipient's SSN ▶	31a	00	
32	IRA deduction	32	00	
33	Student loan interest deduction	33	00	
34	Tuition and fees. Attach Form 8917	34	00	
35	Domestic production activities deduction. Attach Form 8903	35	00	
36	Add lines 23 through 35			36 00
37	Subtract line 36 from line 22. This is your **adjusted gross income** ▶			37 (20237 50)

Tax and Credits	38	Amount from line 37 (adjusted gross income)			38	(20237 50)
	39a	Check if: ☐ **You** were born before January 2, 1949, ☐ Blind. ☐ **Spouse** was born before January 2, 1949, ☐ Blind. **Total boxes checked ▶ 39a**				
Standard Deduction for— • People who check any box on line 39a or 39b **or** who can be claimed as a dependent, see instructions. • All others: Single or Married filing separately, $6,100 Married filing jointly or Qualifying widow(er), $12,200 Head of household, $8,950	b	If your spouse itemizes on a separate return or you were a dual-status alien, check here ▶ 39b ☐				
	40	**Itemized deductions** (from Schedule A) **or** your **standard deduction** (see left margin)			40	6100 00
	41	Subtract line 40 from line 38			41	(26337 50)
	42	**Exemptions.** If line 38 is $150,000 or less, multiply $3,900 by the number on line 6d. Otherwise, see instructions			42	00
	43	**Taxable income.** Subtract line 42 from line 41. If line 42 is more than line 41, enter -0-			43	(26337 50)
	44	**Tax** (see instructions). Check if any from: a ☐ Form(s) 8814 b ☐ Form 4972 c ☐			44	00
	45	**Alternative minimum tax** (see instructions). Attach Form 6251			45	00
	46	Add lines 44 and 45 ▶			46	00
	47	Foreign tax credit. Attach Form 1116 if required	47	00		
	48	Credit for child and dependent care expenses. Attach Form 2441	48	00		
	49	Education credits from Form 8863, line 19	49	00		
	50	Retirement savings contributions credit. Attach Form 8880	50	00		
	51	Child tax credit. Attach Schedule 8812, if required	51	00		
	52	Residential energy credits. Attach Form 5695	52	00		
	53	Other credits from Form: a ☐ 3800 b ☐ 8801 c ☐	53	00		
	54	Add lines 47 through 53. These are your **total credits**			54	00
	55	Subtract line 54 from line 46. If line 54 is more than line 46, enter -0- ▶			55	00
Other Taxes	56	Self-employment tax. Attach Schedule SE			56	00
	57	Unreported social security and Medicare tax from Form: a ☐ 4137 b ☐ 8919			57	00
	58	Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required			58	00
	59a	Household employment taxes from Schedule H			59a	00
	b	First-time homebuyer credit repayment. Attach Form 5405 if required			59b	00
	60	Taxes from: a ☐ Form 8959 b ☐ Form 8960 c ☐ Instructions; enter code(s)			60	00
	61	Add lines 55 through 60. This is your **total tax** ▶			61	00
Payments	62	Federal income tax withheld from Forms W-2 and 1099	62	00		
	63	2013 estimated tax payments and amount applied from 2012 return	63	00		
If you have a qualifying child, attach Schedule EIC.	64a	**Earned income credit (EIC)**	64a	00		
	b	Nontaxable combat pay election 64b				
	65	Additional child tax credit. Attach Schedule 8812	65	00		
	66	American opportunity credit from Form 8863, line 8	66	00		
	67	Reserved	67			
	68	Amount paid with request for extension to file	68	00		
	69	Excess social security and tier 1 RRTA tax withheld	69	00		
	70	Credit for federal tax on fuels. Attach Form 4136	70	00		
	71	Credits from Form: a ☐ 2439 b ☐ Reserved c ☐ 8885 d ☐	71	00		
	72	Add lines 62, 63, 64a, and 65 through 71. These are your **total payments** ▶			72	00
Refund	73	If line 72 is more than line 61, subtract line 61 from line 72. This is the amount you **overpaid**			73	00
	74a	Amount of line 73 you want **refunded to you.** If Form 8888 is attached, check here ▶ ☐			74a	00
Direct deposit? See instructions.	b	Routing number ▶c Type: ☐ Checking ☐ Savings				
	d	Account number				
	75	Amount of line 73 you want **applied to your 2014 estimated tax** ▶	75			
Amount You Owe	76	**Amount you owe.** Subtract line 72 from line 61. For details on how to pay, see instructions ▶			76	00
	77	Estimated tax penalty (see instructions)	77			

Third Party Designee Do you want to allow another person to discuss this return with the IRS (see instructions)? ☐ **Yes.** Complete below. ☑ **No**

Designee's name ▶ | Phone no. ▶ | Personal identification number (PIN) ▶

Sign Here Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Joint return? See instructions. Keep a copy for your records.

Your signature	Date	Your occupation	Daytime phone number
Spouse's signature. If a joint return, **both** must sign.	Date	Spouse's occupation	If the IRS sent you an Identity Protection PIN, enter it here (see inst.)

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Firm's name ▶			Firm's EIN ▶	
Firm's address ▶			Phone no.	

RP 0249

SCHEDULE C (Form 1040)

Department of the Treasury
Internal Revenue Service (99)

Profit or Loss From Business
(Sole Proprietorship)

▶ For information on Schedule C and its instructions, go to *www.irs.gov/schedulec.*
▶ Attach to Form 1040, 1040NR, or 1041; partnerships generally must file Form 1065.

OMB No. 1545-0074

2013

Attachment Sequence No. **09**

Name of proprietor	Social security number (SSN)
Micheal Pietrczak	[redacted]0332

A Principal business or profession, including product or service (see instructions): used furniture sales

B Enter code from instructions ▶ 4 4 2 2 0 0

C Business name. If no separate business name, leave blank. The Estate Sale

D Employer ID number (EIN), (see instr.)

E Business address (including suite or room no.) ▶ 2946 Garnet Avenue
City, town or post office, state, and ZIP code

F Accounting method: (1) ☑ Cash (2) ☐ Accrual (3) ☐ Other (specify) ▶

G Did you "materially participate" in the operation of this business during 2013? If "No," see instructions for limit on losses . ☐ Yes ☐ No

H If you started or acquired this business during 2013, check here . . . ▶ ☐

I Did you make any payments in 2013 that would require you to file Form(s) 1099? (see instructions) . ☐ Yes ☑ No

J If "Yes," did you or will you file required Forms 1099? . ☐ Yes ☐ No

Part I Income

1	Gross receipts or sales. See instructions for line 1 and check the box if this income was reported to you on Form W-2 and the "Statutory employee" box on that form was checked ▶ ☐	1	46500 00
2	Returns and allowances	2	00
3	Subtract line 2 from line 1	3	46500 00
4	Cost of goods sold (from line 42)	4	12000 00
5	**Gross profit.** Subtract line 4 from line 3	5	34500 00
6	Other income, including federal and state gasoline or fuel tax credit or refund (see instructions)	6	00
7	**Gross income.** Add lines 5 and 6 ▶	7	34500 00

Part II Expenses

Enter expenses for business use of your home only on line 30.

8	Advertising	8	20000 00	18	Office expense (see instructions)	18	25	00
9	Car and truck expenses (see instructions)	9	2007 50	19	Pension and profit-sharing plans	19		00
10	Commissions and fees	10	00	20	Rent or lease (see instructions):			
11	Contract labor (see instructions)	11	00	a	Vehicles, machinery, and equipment	20a		00
12	Depletion	12	00	b	Other business property	20b	24000	00
13	Depreciation and section 179 expense deduction (not included in Part III) (see instructions)	13	00	21	Repairs and maintenance	21		00
				22	Supplies (not included in Part III)	22		00
				23	Taxes and licenses	23	65	00
				24	Travel, meals, and entertainment:			
14	Employee benefit programs (other than on line 19)	14	00	a	Travel	24a	600	00
				b	Deductible meals and entertainment (see instructions)	24b	240	00
15	Insurance (other than health)	15	800 00	25	Utilities	25	6000	00
16	Interest:			26	Wages (less employment credits)	26		00
a	Mortgage (paid to banks, etc.)	16a	00	27a	Other expenses (from line 48)	27a		00
b	Other	16b	00	b	**Reserved for future use**	27b		
17	Legal and professional services	17	1000 00					

28	**Total expenses** before expenses for business use of home. Add lines 8 through 27a ▶	28	54735 50
29	Tentative profit or (loss). Subtract line 28 from line 7	29	(20237 50)
30	Expenses for business use of your home. Do not report these expenses elsewhere. Attach Form 8829 unless using the simplified method (see instructions). **Simplified method filers only:** enter the total square footage of: (a) your home: _____ and (b) the part of your home used for business: _____. Use the Simplified Method Worksheet in the instructions to figure the amount to enter on line 30	30	00
31	**Net profit or (loss).** Subtract line 30 from line 29. • If a profit, enter on both **Form 1040, line 12** (or **Form 1040NR, line 13**) and on **Schedule SE, line 2.** (If you checked the box on line 1, see instructions). Estates and trusts, enter on **Form 1041, line 3.** • If a loss, you **must** go to line 32.	31	(20237 50)
32	If you have a loss, check the box that describes your investment in this activity (see instructions). • If you checked 32a, enter the loss on both **Form 1040, line 12,** (or **Form 1040NR, line 13**) and on **Schedule SE, line 2.** (If you checked the box on line 1, see the line 31 instructions). Estates and trusts, enter on **Form 1041, line 3.** • If you checked 32b, you **must** attach **Form 6198.** Your loss may be limited.	32a ☑ All investment is at risk. 32b ☐ Some investment is not at risk.	

Part III Cost of Goods Sold (see instructions)

33 Method(s) used to value closing inventory: a ☑ Cost b ☐ Lower of cost or market c ☐ Other (attach explanation)

34 Was there any change in determining quantities, costs, or valuations between opening and closing inventory? If "Yes," attach explanation . . . ☐ Yes ☑ No

35	Inventory at beginning of year. If different from last year's closing inventory, attach explanation	35		00
	computer stolen, no backup of records			
36	Purchases less cost of items withdrawn for personal use	36	12000	00
37	Cost of labor. Do not include any amounts paid to yourself	37		00
38	Materials and supplies	38		00
39	Other costs	39		00
40	Add lines 35 through 39	40	12000	00
41	Inventory at end of year	41		00
42	**Cost of goods sold.** Subtract line 41 from line 40. Enter the result here and on line 4	42	12000	00

Part IV Information on Your Vehicle. Complete this part only if you are claiming car or truck expenses on line 9 and are not required to file Form 4562 for this business. See the instructions for line 13 to find out if you must file Form 4562.

43 When did you place your vehicle in service for business purposes? (month, day, year) ▶ 08 / 13 / 2013

44 Of the total number of miles you drove your vehicle during 2013, enter the number of miles you used your vehicle for:

a Business 3553 b Commuting (see instructions) _____ c Other _____

45 Was your vehicle available for personal use during off-duty hours? . . . ☐ Yes ☑ No

46 Do you (or your spouse) have another vehicle available for personal use? . . . ☑ Yes ☐ No

47a Do you have evidence to support your deduction? . . . ☑ Yes ☐ No

b If "Yes," is the evidence written? . . . ☑ Yes ☐ No

Part V Other Expenses. List below business expenses not included on lines 8–26 or line 30.

48 **Total other expenses.** Enter here and on line 27a	48	

Form **1040** Department of the Treasury—Internal Revenue Service (99) **U.S. Individual Income Tax Return** **2014** OMB No. 1545-0074 IRS Use Only—Do not write or staple in this space.

For the year Jan. 1–Dec. 31, 2014, or other tax year beginning , 2014, ending , 20 — See separate instructions.

Your first name and initial	Last name	Your social security number
Micheal A.	Pietrczak	[redacted] 0 3 3 2
If a joint return, spouse's first name and initial	Last name	Spouse's social security number

Home address (number and street). If you have a P.O. box, see instructions. — Apt. no.
9985 Lick Fork Road

City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions).
Witts Springs, AR 72686

Foreign country name | Foreign province/state/county | Foreign postal code

▲ Make sure the SSN(s) above and on line 6c are correct.

Presidential Election Campaign
Check here if you, or your spouse if filing jointly, want $3 to go to this fund. Checking a box below will not change your tax or refund. ☐ You ☐ Spouse

Filing Status
Check only one box.

1 ☑ Single
2 ☐ Married filing jointly (even if only one had income)
3 ☐ Married filing separately. Enter spouse's SSN above and full name here. ▶
4 ☐ Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here. ▶
5 ☐ Qualifying widow(er) with dependent child

Exemptions
6a ☑ **Yourself.** If someone can claim you as a dependent, **do not** check box 6a
b ☐ **Spouse**

c **Dependents:** (1) First name / Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) ✓ if child under age 17 qualifying for child tax credit (see instructions)
			☐
			☐
			☐
			☐

If more than four dependents, see instructions and check here ▶ ☐

d Total number of exemptions claimed

Boxes checked on 6a and 6b 1
No. of children on 6c who:
• **lived with you**
• **did not live with you due to divorce or separation (see instructions)**
Dependents on 6c not entered above
Add numbers on lines above ▶ 1

Income
Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.

If you did not get a W-2, see instructions.

7	Wages, salaries, tips, etc. Attach Form(s) W-2	7	0
8a	**Taxable** interest. Attach Schedule B if required	8a	0
b	**Tax-exempt** interest. **Do not** include on line 8a — 8b		
9a	Ordinary dividends. Attach Schedule B if required	9a	0
b	Qualified dividends — 9b		
10	Taxable refunds, credits, or offsets of state and local income taxes	10	0
11	Alimony received	11	0
12	Business income or (loss). Attach Schedule C or C-EZ	12	(24247 60)
13	Capital gain or (loss). Attach Schedule D if required. If not required, check here ▶ ☐	13	0
14	Other gains or (losses). Attach Form 4797	14	0
15a	IRA distributions — 15a — b Taxable amount	15b	0
16a	Pensions and annuities — 16a — b Taxable amount	16b	0
17	Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E	17	0
18	Farm income or (loss). Attach Schedule F	18	0
19	Unemployment compensation	19	0
20a	Social security benefits — 20a — b Taxable amount	20b	0
21	Other income. List type and amount	21	0
22	Combine the amounts in the far right column for lines 7 through 21. This is your **total income** ▶	22	(24247 60)

Adjusted Gross Income

23	Educator expenses	23	0	
24	Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24	0	
25	Health savings account deduction. Attach Form 8889	25	0	
26	Moving expenses. Attach Form 3903	26	0	
27	Deductible part of self-employment tax. Attach Schedule SE	27	0	
28	Self-employed SEP, SIMPLE, and qualified plans	28	0	
29	Self-employed health insurance deduction	29	0	
30	Penalty on early withdrawal of savings	30	0	
31a	Alimony paid b Recipient's SSN ▶	31a	0	
32	IRA deduction	32	0	
33	Student loan interest deduction	33	0	
34	Tuition and fees. Attach Form 8917	34	0	
35	Domestic production activities deduction. Attach Form 8903	35	0	
36	Add lines 23 through 35			36 0
37	Subtract line 36 from line 22. This is your **adjusted gross income** ▶			37 (24247 60)

Tax and Credits	38	Amount from line 37 (adjusted gross income)	38	(24247	60)
	39a	Check if: ☐ **You** were born before January 2, 1950, ☐ Blind. ☐ **Spouse** was born before January 2, 1950, ☐ Blind. **Total boxes checked ▶ 39a**			
	b	If your spouse itemizes on a separate return or you were a dual-status alien, check here ▶ **39b** ☐			
Standard Deduction for— • People who check any box on line 39a or 39b or who can be claimed as a dependent, see instructions. • All others: Single or Married filing separately, $6,200 Married filing jointly or Qualifying widow(er), $12,400 Head of household, $9,100	40	**Itemized deductions** (from Schedule A) **or** your **standard deduction** (see left margin)	40	6200	00
	41	Subtract line 40 from line 38	41	(30447	60)
	42	**Exemptions.** If line 38 is $152,525 or less, multiply $3,950 by the number on line 6d. Otherwise, see instructions	42	3950	00
	43	**Taxable income.** Subtract line 42 from line 41. If line 42 is more than line 41, enter -0-	43	(34397	60)
	44	**Tax** (see instructions). Check if any from: **a** ☐ Form(s) 8814 **b** ☐ Form 4972 **c** ☐	44		0
	45	**Alternative minimum tax** (see instructions). Attach Form 6251	45		0
	46	Excess advance premium tax credit repayment. Attach Form 8962	46		0
	47	Add lines 44, 45, and 46 ▶	47		0
	48	Foreign tax credit. Attach Form 1116 if required — 48			
	49	Credit for child and dependent care expenses. Attach Form 2441 — 49			
	50	Education credits from Form 8863, line 19 — 50			
	51	Retirement savings contributions credit. Attach Form 8880 — 51			
	52	Child tax credit. Attach Schedule 8812, if required — 52			
	53	Residential energy credits. Attach Form 5695 — 53			
	54	Other credits from Form: **a** ☐ 3800 **b** ☐ 8801 **c** ☐ — 54			
	55	Add lines 48 through 54. These are your **total credits**	55		0
	56	Subtract line 55 from line 47. If line 55 is more than line 47, enter -0- ▶	56		0
Other Taxes	57	Self-employment tax. Attach Schedule SE	57		0
	58	Unreported social security and Medicare tax from Form: **a** ☐ 4137 **b** ☐ 8919	58		0
	59	Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required	59		0
	60a	Household employment taxes from Schedule H	60a		0
	b	First-time homebuyer credit repayment. Attach Form 5405 if required	60b		0
	61	Health care: individual responsibility (see instructions) Full-year coverage ☐	61		0
	62	Taxes from: **a** ☐ Form 8959 **b** ☐ Form 8960 **c** ☐ Instructions; enter code(s)	62		0
	63	Add lines 56 through 62. This is your **total tax** ▶	63		0
Payments	64	Federal income tax withheld from Forms W-2 and 1099 — 64			
If you have a qualifying child, attach Schedule EIC.	65	2014 estimated tax payments and amount applied from 2013 return — 65			
	66a	**Earned income credit (EIC)** — 66a			
	b	Nontaxable combat pay election — 66b			
	67	Additional child tax credit. Attach Schedule 8812 — 67			
	68	American opportunity credit from Form 8863, line 8 — 68			
	69	Net premium tax credit. Attach Form 8962 — 69			
	70	Amount paid with request for extension to file — 70			
	71	Excess social security and tier 1 RRTA tax withheld — 71			
	72	Credit for federal tax on fuels. Attach Form 4136 — 72			
	73	Credits from Form: **a** ☐ 2439 **b** ☐ Reserved **c** ☐ Reserved **d** ☐ — 73			
	74	Add lines 64, 65, 66a, and 67 through 73. These are your **total payments** ▶	74		0
Refund	75	If line 74 is more than line 63, subtract line 63 from line 74. This is the amount you **overpaid**	75		0
	76a	Amount of line 75 you want **refunded to you.** If Form 8888 is attached, check here ▶ ☐	76a		0
Direct deposit? See instructions.	b	Routing number ▶ **c** Type: ☐ Checking ☐ Savings			
	d	Account number			
	77	Amount of line 75 you want **applied to your 2015 estimated tax** ▶ — 77			
Amount You Owe	78	**Amount you owe.** Subtract line 74 from line 63. For details on how to pay, see instructions ▶	78		0
	79	Estimated tax penalty (see instructions) — 79			

Third Party Designee Do you want to allow another person to discuss this return with the IRS (see instructions)? ☐ **Yes.** Complete below. ☑ **No**

Designee's name ▶ | Phone no. ▶ | Personal identification number (PIN) ▶

Sign Here Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Joint return? See instructions. Keep a copy for your records.

Your signature	Date	Your occupation	Daytime phone number
		shop owner	
Spouse's signature. If a joint return, **both** must sign.	Date	Spouse's occupation	If the IRS sent you an Identity Protection PIN, enter it here (see inst.)

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Firm's name ▶			Firm's EIN ▶	
Firm's address ▶			Phone no.	

RP 0253

Part III Cost of Goods Sold (see instructions)

33 Method(s) used to value closing inventory: a ☑ Cost b ☐ Lower of cost or market c ☐ Other (attach explanation)

34 Was there any change in determining quantities, costs, or valuations between opening and closing inventory? If "Yes," attach explanation . . . ☐ Yes ☐ No

35	Inventory at beginning of year. If different from last year's closing inventory, attach explanation	35		00
36	Purchases less cost of items withdrawn for personal use	36	12000	00
37	Cost of labor. Do not include any amounts paid to yourself	37		00
38	Materials and supplies	38		00
39	Other costs	39		00
40	Add lines 35 through 39	40	12000	00
41	Inventory at end of year	41		00
42	**Cost of goods sold.** Subtract line 41 from line 40. Enter the result here and on line 4	42	12000	00

Part IV Information on Your Vehicle. Complete this part only if you are claiming car or truck expenses on line 9 and are not required to file Form 4562 for this business. See the instructions for line 13 to find out if you must file Form 4562.

43 When did you place your vehicle in service for business purposes? (month, day, year) ▶ 08 / 13 / 2013

44 Of the total number of miles you drove your vehicle during 2014, enter the number of miles you used your vehicle for:

a Business 4560 b Commuting (see instructions) _____ c Other _____

45 Was your vehicle available for personal use during off-duty hours? . . . ☐ Yes ☑ No

46 Do you (or your spouse) have another vehicle available for personal use? . . . ☑ Yes ☐ No

47a Do you have evidence to support your deduction? . . . ☑ Yes ☐ No

b If "Yes," is the evidence written? . . . ☑ Yes ☐ No

Part V Other Expenses. List below business expenses not included on lines 8–26 or line 30.

48	**Total other expenses.** Enter here and on line 27a	48	

SCHEDULE C (Form 1040)

Department of the Treasury
Internal Revenue Service (99)

Profit or Loss From Business
(Sole Proprietorship)

▶ Information about Schedule C and its separate instructions is at *www.irs.gov/schedulec.*
▶ Attach to Form 1040, 1040NR, or 1041; partnerships generally must file Form 1065.

OMB No. 1545-0074
2014
Attachment Sequence No. **09**

Name of proprietor	Social security number (SSN)
Micheal Pietrczak	[redacted]0332

A Principal business or profession, including product or service (see instructions): used furniture sales

B Enter code from instructions ▶ 4 4 2 2 0 0

C Business name. If no separate business name, leave blank: The Estate Sale

D Employer ID number (EIN), (see instr.)

E Business address (including suite or room no.) ▶ 2946 Garnet Avenue
City, town or post office, state, and ZIP code

F Accounting method: (1) ☑ Cash (2) ☐ Accrual (3) ☐ Other (specify) ▶

G Did you "materially participate" in the operation of this business during 2014? If "No," see instructions for limit on losses . ☑ Yes ☐ No

H If you started or acquired this business during 2014, check here . . . ▶ ☐

I Did you make any payments in 2014 that would require you to file Form(s) 1099? (see instructions) . ☐ Yes ☑ No

J If "Yes," did you or will you file required Forms 1099? . ☑ Yes ☐ No

Part I Income

1	Gross receipts or sales. See instructions for line 1 and check the box if this income was reported to you on Form W-2 and the "Statutory employee" box on that form was checked ▶ ☐	1	23,980	00
2	Returns and allowances	2		00
3	Subtract line 2 from line 1	3	23,980	00
4	Cost of goods sold (from line 42)	4	12000	00
5	**Gross profit.** Subtract line 4 from line 3	5	11,980	00
6	Other income, including federal and state gasoline or fuel tax credit or refund (see instructions)	6		00
7	**Gross income.** Add lines 5 and 6 ▶	7	11980	00

Part II Expenses. Enter expenses for business use of your home **only** on line 30.

8	Advertising	8	1588 00	18	Office expense (see instructions)	18	25	00
9	Car and truck expenses (see instructions)	9	2553 60	19	Pension and profit-sharing plans	19		00
10	Commissions and fees	10	0	20	Rent or lease (see instructions):			
11	Contract labor (see instructions)	11	5000 00	a	Vehicles, machinery, and equipment	20a	160	00
12	Depletion	12	0	b	Other business property	20b		00
13	Depreciation and section 179 expense deduction (not included in Part III) (see instructions)	13	0	21	Repairs and maintenance	21		00
				22	Supplies (not included in Part III)	22		00
				23	Taxes and licenses	23	65	00
				24	Travel, meals, and entertainment:			
14	Employee benefit programs (other than on line 19)	14	0	a	Travel	24a	12000	00
15	Insurance (other than health)	15	0	b	Deductible meals and entertainment (see instructions)	24b		00
16	Interest:			25	Utilities	25	4856	00
a	Mortgage (paid to banks, etc.)	16a	0	26	Wages (less employment credits)	26		00
b	Other	16b	0	27a	Other expenses (from line 48)	27a		00
17	Legal and professional services	17	10,000 00	b	**Reserved for future use**	27b		

28	**Total expenses** before expenses for business use of home. Add lines 8 through 27a ▶	28	36227	60
29	Tentative profit or (loss). Subtract line 28 from line 7	29	(24247	60)
30	Expenses for business use of your home. Do not report these expenses elsewhere. Attach Form 8829 unless using the simplified method (see instructions). **Simplified method filers only:** enter the total square footage of: (a) your home: _____ and (b) the part of your home used for business: _____. Use the Simplified Method Worksheet in the instructions to figure the amount to enter on line 30	30		0
31	**Net profit or (loss).** Subtract line 30 from line 29. • If a profit, enter on both **Form 1040, line 12** (or **Form 1040NR, line 13**) and on **Schedule SE, line 2.** (If you checked the box on line 1, see instructions). Estates and trusts, enter on **Form 1041, line 3.** • If a loss, you **must** go to line 32.	31	(24247	60)
32	If you have a loss, check the box that describes your investment in this activity (see instructions). • If you checked 32a, enter the loss on both **Form 1040, line 12,** (or **Form 1040NR, line 13**) and on **Schedule SE, line 2.** (If you checked the box on line 1, see the line 31 instructions). Estates and trusts, enter on **Form 1041, line 3.** • If you checked 32b, you **must** attach **Form 6198.** Your loss may be limited.	32a ☑ All investment is at risk. 32b ☐ Some investment is not at risk.		

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 11

Pathfinders Letter

Founded 1950

PATHFINDERS OF SAN DIEGO, INC.

3806 Grim Avenue San Diego, California 92102 (619) 260-1605

www.pathfindersrecovery.org

August 31,2009

To whom it may concern,

Mr. Michael Pietrczak is in a program designed to assist homeless individuals diagnosed with substance abuse as well as physical and/or mental illness (aka Dual Diagnosed). The program is a federal program funded by HUD and administered by the San Diego Housing Commission and by Pathfinders of San Diego. The program is called Shelter + Care. Its duration varies per individual, depending on their individual needs. Mr. Pietrczak began his residency on August 31st,2009. Mr. Pietrczak lives at 1611 30th #3, San Diego, CA 92102. During that time he has followed the recovery program and abided by the requirements for meetings and volunteer service. He is required to volunteer a minimum of 10 hours per week.

All rent and utilities are paid by the San Diego Housing Commission, and all supportive services are provided by Pathfinders and other agencies in the community. Mr. Pietrczak pays nothing for the Shelter + Care program if he has no income. If and when he receives income he is required to pay 30% of that income towards his rent.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Pathfinders Shelter + Care
Eric Zielke
Program Manger

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LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 10

Warranty Deed Pietrczak to Trust

L201600541
SEARCY CO, AR FEE $30.00
PRESENTED: 03-23-2016 11:13:35 AM
RECORDED: 03-23-2016 11:13:35 AM
DEBBIE LOGGINS
COUNTY AND CIRCUIT CLERK
BY: QUENTON BLAIR
DEPUTY CLERK
BK: DEED 200
PG: 606-609

Prepared by:
Laura Lynn
PO Box 14, Witts Spring, Arkansas, 72686

After recording return to:
Laura Lynn
PO Box 14, Witts Spring, Arkansas, 72686

Above this line reserved for official use only

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

For valuable consideration of $1.00, and other good and valuable consideration, the receipt of which is hereby acknowledged, Micheal Pietrczak, not married of 9985 Lick Fork Road, Witts Spring, Arkansas, 72686, (the "Grantor"), does hereby grant, bargain, sell, convey and warrant unto Laura Lynn as trustee of Rural Revival Living Trust, dated March 22, 2016, (collectively the "Grantee"), the following lands and property, together with all improvements located thereon, lying in the County of Searcy, State of Arkansas:

> The NW 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas.
> Also giving and granting an easement 16 feet wide along the North boundary line of the NE 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas, running West from County Road #5, to provide ingress and egress to above lands.

Less and except all oil, gas and minerals, on and under the above described property owned by the Grantor, if any, which are reserved by the Grantor.

Subject to all easements, rights-of-way, protective covenants and mineral reservations of record, if any.

TO HAVE AND TO HOLD the same unto the Grantee and the Grantee's heirs and assigns forever, with all appurtenances belonging on the property.

The Grantor covenants with the Grantee that the Grantor is lawfully seized in fee simple of the granted premises; that the same are free from all encumbrances except those set forth above; that the Grantor has good right, full power and lawful authority to sell and convey the property to the Grantee; and that the Grantor and the Grantor's heirs, executors and administrators shall warrant and defend the property to the Grantee and the Grantee's heirs forever against the claims and demands of all persons whatsoever.

Taxes for tax year 2016 will be paid by the Grantee.

The property conveyed in this deed is part of the homestead of the Grantor.

IN WITNESS WHEREOF this deed was executed by the Grantor on this 22nd day of March, 2016.

Signed, Sealed and Delivered
In the Presence of:

Micheal Pietrczak

Sign: Doug Weaver
Name: Doug Weaver

Sign: Nancy L Weaver
Name: Nancy L Weaver

The Grantor certifies under penalty of false swearing that the legally correct amount of documentation stamps have been placed on this document.

IN WITNESS WHEREOF this deed was executed by the Grantee on this 22nd day of March, 2016.

Signed, Sealed and Delivered
In the Presence of:

Rural Revival Living Trust
By: Laura Lynn, Trustee
Title: _____

Sign: Doug Weaver
Name: Doug Weaver

Sign: Nancy L Weaver
Name: Nancy L Weaver

The Grantee certifies under penalty of false swearing that the legally correct amount of documentation stamps have been placed on this document.

Grantor Acknowledgment

STATE OF ARKANSAS)
) ss.
COUNTY OF Searcy)

On this 23rd day of March, 2016 before me, a Notary Public in and for the said state, personally appeared Micheal Pietrczak, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF I have set my hand and official seal.

NANCY L. WEAVER
SEARCY COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires August 01, 2019
Commission No. 12371796

Nancy L Weaver
Notary Public, State of Arkansas
County of Searcy
Name: NANCY L WEAVER

Commission Expires: 8-1-2019

Corporate Grantee Acknowledgment

STATE OF ARKANSAS)
COUNTY OF Searcy) ss.

On this 22nd day of March, in the year 2016, before me, a Notary Public in and for the said state, personally appeared Laura Lynn as trustee of Rural Revival Living Trust, dated March 22, 2016, known to me (or proved to me on the basis of satisfactory evidence) to be the president (or other officer or person) of the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

Nancy L Weaver
Notary Public for the State of Arkansas
County of Searcy
Name: Nancy L Weaver

My Commission Expires: 8-1-2019

NANCY L. WEAVER
SEARCY COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires August 01, 2019
Commission No. 12371796

Send tax statements to:
Laura Lynn
PO Box 14, Witts Spring, Arkansas, 72686

I CERTIFY UNDER PENALTY OF FALSE SWEARING THAT DOCUMENTARY STAMPS OR A DOCUMENTARY SYMBOL IN THE LEGALLY CORRECT AMOUNT HAS BEEN PLACED ON THIS INSTRUMENT.

Laura Lynn
GRANTEE OR GRANTEE'S AGENT

PO Box 14, Witts Spring, AR 72686
GRANTEE'S ADDRESS

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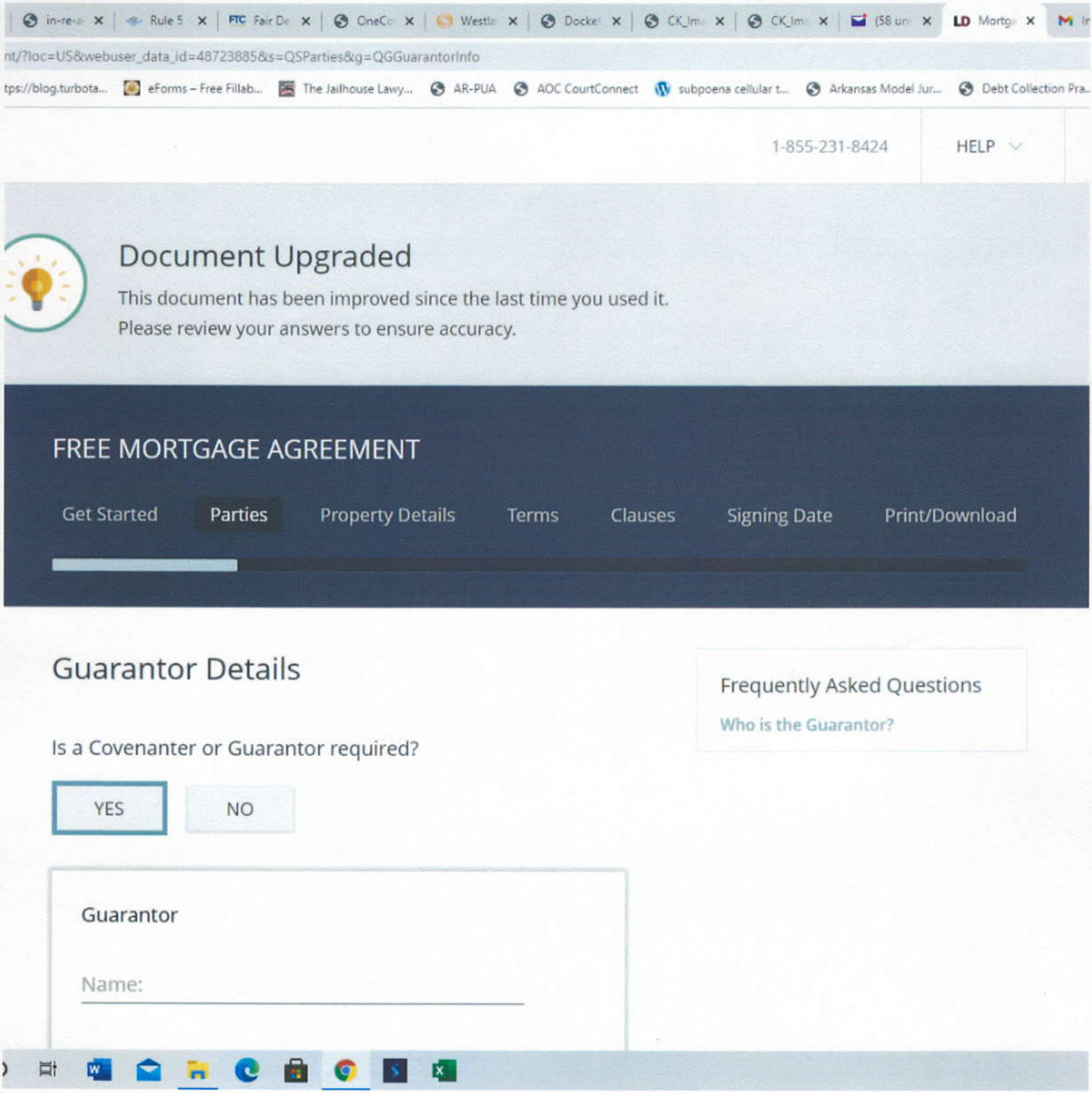
CIVIL DIVISION

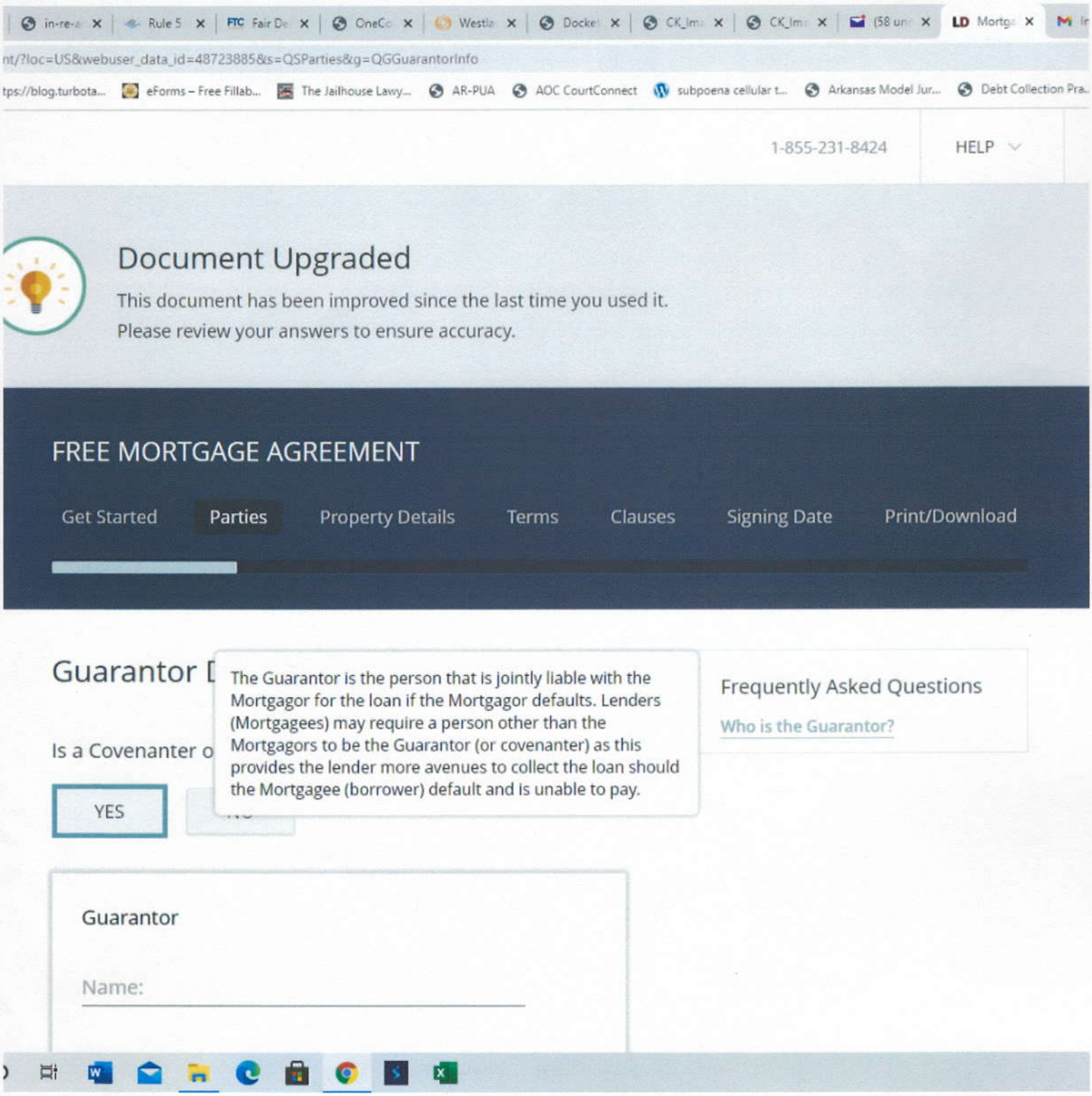
CASE No. 65CV-21-20

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v.	
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EXHIBIT 9

LawDepot.com Mortgage Agreement Guarantor Option


nt/?loc=US&webuser_data_id=48723885&s=QSParties&g=QGGuarantorInfo
tps://blog.turbota... eForms – Free Fillab... The Jailhouse Lawy... AR-PUA AOC CourtConnect subpoena cellular t... Arkansas Model Jur... Debt Collection Pra...
1-855-231-8424
HELP
Document Upgraded
This document has been improved since the last time you used it.
Please review your answers to ensure accuracy.
FREE MORTGAGE AGREEMENT
Get Started
Parties
Property Details
Terms
Clauses
Signing Date
Print/Download
Guarantor Details
Frequently Asked Questions
Who is the Guarantor?
Is a Covenanter or Guarantor required?
YES
NO
Guarantor
Name:


nt/?loc=US&webuser_data_id=48723885&s=QSParties&g=QGGuarantorInfo
1-855-231-8424
HELP
Document Upgraded
This document has been improved since the last time you used it.
Please review your answers to ensure accuracy.
FREE MORTGAGE AGREEMENT
Get Started
Parties
Property Details
Terms
Clauses
Signing Date
Print/Download
Guarantor D
The Guarantor is the person that is jointly liable with the Mortgagor for the loan if the Mortgagor defaults. Lenders (Mortgagees) may require a person other than the Mortgagors to be the Guarantor (or covenanter) as this provides the lender more avenues to collect the loan should the Mortgagee (borrower) default and is unable to pay.
Frequently Asked Questions
Who is the Guarantor?
Is a Covenanter o
YES
Guarantor
Name:

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LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 8

Searcy County Assessment for Lick Fork Property

RURAL REVIVAL LIVING TRUST

9985 LICK FORK RD

Basic Land Sales Valuation Taxes Receipts Improvements

Valuation Information

Entry	Appraised	Assessed
Land:	7,000	1,400
Improvements:	56,450	11,290
Total Value:	63,450	12,690
Taxable Value:		12,690
Millage:		0.04755
Timber:		7.59
Estimated Taxes:		$611.00
Assessment Year:		2019

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v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 7

Emails to Pietrczak's First Attorney

Pietrczak - Lynn

From: Laura Lynn (bohemian_books@yahoo.com)

To: billyjackgibson@gmail.com

Date: Sunday, February 19, 2017, 01:26 AM CST

Dear Mr. Gibson,

I am sorry about the odd hour I am writing this email. I presume you won't read it until Monday.

Mike's father, Walter Pietrczak, who goes by "Mr. Pete", spoke to me tonight, finally. He told me Mike is paralyzed from a fall from the tall tree on Mr. Pete's property. (I don't know who owns the property, but think it is either a trust or Mr. Pete's sister "Aunt Mary". Maybe there is insurance money or Mike may be entitled to ownership of that house for having the accident there.) I went unannounced to the property last Thursday. Mike's truck was gone, but Mr. Pete and Aunt Mary's vehicles were there. They said they were in Pine Bluff, so perhaps they are using Mike's truck. I spoke to them by phone and they said I could go in to put the mortgage check on the table and groceries I bought for them in the refrigerator. (While I was inside, a neighbor came in screaming at me and threatened to call the police.)

I then went to the home I was staying in over night that I found on airbnb and mentioned some of this to the owner. Mr. Pete had said Mike was in the hospital for a back surgery, but had not told me about the fall from the tree or a prognosis of him being paralyzed. I tried calling Mike in the hospital and was under the impression there was instructions not to let me speak with him or give me information.

My host turns out to be a relative of yours, Bill Orlicek. Maybe to get to the truth of the matter, you can verify with him that I told him this same information before knowing there was any connection between him and Mike's attorney and before Mr. Pete told me the severity of the injury.

My California Attorney, Michael Early also said you were a decent man. I hope you will try to resolve things in the best interest of your client, realizing I am under no obligation to give Mike more than half our assets as set out in the agreement for if we split up.

You probably noticed Mike is an alcoholic. He is a wonderful man when sober; not so much when drinking. His father is reprehensible. He should not have taken Mike out of the hospital after the first accident. Mr. Pete's home is not conducive to recovering from anything. He has beer there and constant smoking of cigarettes. It is no wonder Mike had so many lung problems. While Mike and Mr. Pete both claimed Mike was sober about six months, I spoke to Mike on occasion and he did not sound sober to me. He was not completely inebriated, and it may just be the influence of prescription pain killers, but he was not quite right.

I think Mr. Pete was motivated by what he anticipated would be a $1,300 per month paycheck from the mortgage money. Mike told me Mr. Pete was investigated by the FBI for a fraud scam collecting charity to "save the Naugas" from which we get naugahyde. Mike also said Mr. Pete was involved with the mafia and that is why one of his wives was murdered. Mr. Pete abandoned Mike with his horribly abusive, drug addicted, alcoholic mother when Mike was an infant. He is not a good choice for guardian or to have power of attorney.

I have started to receive money from my family that was specifically excluded from our separation agreement. I can pay Mike off on the house (his half), or I can continue to make payments. I do want to adjust the interest rate, but can still make the same or even higher payments. It would be paid off sooner. Whatever is best for Mike, who is on welfare and government medical insurance. If I want to help Mike financially more than that, it is my own decision. I definitely would not give Mike anything extra if I know it is going to Mr. Pete.

I am going to California for one week next Saturday. I can visit Mike on Friday and think it would make him happy. He left a voicemail to me before his fall from the tree and he was pleasant and grateful for the mortgage payment I had just made. Maybe he was getting back to his sober self. When I return, I can spend more time

EXHIBIT 7

with Mike, but doubt Mr. Pete will approve. I will hire an Arkansas attorney named Rick Watson if you cannot resolve our issues by my return. I would be happy to meet with you in person.

Laura Lynn

Re: More Pietrczak - Lynn

From: Billy Jack Gibson (billyjackgibson@gmail.com)

To: bohemian_books@yahoo.com

Date: Monday, February 20, 2017, 09:25 AM CST

Dear Ms. Lynn,
Please do not contact me any further regarding any of these issues. My representation of Micheal has concluded.

Sincerely,
Billy Jack Gibson

On Sun, Feb 19, 2017 at 10:26 AM, Laura Lynn < > wrote:

Dear Mr. Gibson,

I hope you realize what a poor choice Walter Pietrczak ("Mr. Pete") was as someone to have power of attorney or conservatorship. It was at Mr. Pete's house, under Mr. Pete's direction that Mike, perhaps under the influence of alcohol, but definately on prescription drugs, climbed into what Mr. Pete described as a 30 foot high tree, with no safety equipment and with a heavy power tool, suffering a crippling fall.

I had sole and seperate property that was specified as such and was never commingled with Mike's called SSP, LLC. We used the income from SSP, LLC to capitalize The Estate Sale and to live off of while litigating in Kahia. Mike should probably reimburse me for half the money taken out of SSP, LLC, which was significantly more than $150,000. Also, we did not pay the California State taxes that were due for several years. That obigation was paid out of the proceeds from the sale of SSP, LLC. Mike technically should pay half that obligation.

SSP, LLC was worth significantly more than my partners offered to buy it for in 2015. Upon its sale I was able to pay off the entire child support debt to Tim Lynn, $100,000 was withheld to pay California State taxes and I was left with enough to pay Mike $75,000 and invest enough to live comfortably forever.

James Jordan went bankrupt and so we collected none of the $181,000 arbitration award.

Mike, at most, will get $75,000 from me, and maybe much less if he wants to take this to court.

I think it is much to his benefit to settle.

I suggest that you write a special needs trust with Mike as the beneficiary, with me or my children as the survivors. Either you or I would be trustee. I will add money that I meant to tithe to the trust up to no less than $75,000 more, as long as Mike is sober and the trust money is spent on him, not Mr. Pete. I might continue to contribute after that. If my own investments earn over 33% in the first year, as I anticipate, I will invest the remainder of the trust for Mike. Mike will release any obligation for me or the trust to pay any more mortgage.

Though I doubt I would ever get back together with Mike as "husband and wife", I genuinely love him and pray the best for him.

Laura

--

BILLY JACK GIBSON
Attorney at Law
120 W. Second Street
Malvern, Arkansas 72104
Phone: 501-332-2888
Fax: 501-229-2922

This e-mail and the files transmitted with it are the property of Billy Jack Gibson, Attorney at Law, are confidential, and are intended solely for uses of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this message in error, please notify the sender at 501-332-2888 and delete this message immediately from your computer. Any other use, retention, dissemination, forwarding, printing, or copying of this email is strictly prohibited. Thank you.

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Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Aug-02 11:58:13
65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 6

Story Written About "Laura Pietrczak"

LEGAL NOTICES

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS FIRST DIVISION

IN THE MATTER OF THE ESTATE OF JOHN KENT GRIGGS, deceased

NO. 65PR-15-22

NOTICE TO CREDITORS

LAST KNOWN ADDRESS OF DECEDENT: 203 Court Street, Leslie, Arkansas 72645

DATE OF DEATH: December 31, 2014

On July 13, 2015, an affidavit of collection of small estate by distribute was filed with respect to the estate of John Kent Griggs, deceased, with the clerk of the probate division of the circuit court of Searcy County, Arkansas, under Ark. Code Ann. § 28-41-101.

All persons baving claims against the estate must exhibit them, duly verified, to the distributee or his or her attorney within three (3) months from the date of the first publication of this notice, or they shall be forever barred and precluded from any benefit in the estate.

The name, mailing address, and telephone number of the distributee or distributee's attorney is:

MICHAEL E. KELLY,
Attorney at Law
207 E. Old Main Street
Yellville AR 72687
870- 449-4248
ABA# 71046

Legal No. 150723-15-17
Jul. 23, 30, 2015

Ron Gillispie Photography

*Portraits *Events

870-504-0851 (cell)
448-5157 (home)

rongillispie@windstream.net

Witts Springs news

By Mary Jones

Community Voices held their annual meeting July 23, 2015 at 7 p.m. There were 19 members present. The bylaws were updated and approved. Other items covered were the planned bicycle ride for November, applying for grants for additional improvements, cleaning issues.

Community Voices Game Night will be Friday, August 7 at 6 p.m. There will be bingo and card games. There are other games available for small children as well as coloring books and crayons for them.

Join Laura Pietrczak for Christian "yoga", 2 p.m. Tuesday to Saturday in the Witts Spring Community Center. Because this is just starting, the groups are small, and we customize for you. You may even have a private session. Laura uses what she learned teaching at Richard Simmons' Anatomy Asylum, Mid-Valley Athletic Club and Grace Chapel of the Coast to create an hour that is relaxing, revitalizing and invigorating. If you can barely walk to the fridge or if you are a world class athlete, this hour will leave you feeling more comfortable in the body God gave you. And it is free. Just bring a yoga mat.

This week I went to yoga class on Friday and Saturday. Clas
with a script
for the day. Y
with balance, t
flexibility, and
They were goo
and centered o
his healing pow

Just a remi
Community
of Witts Sp
open from 10
p.m. Tuesday
Saturday. Con
there are card
movies,
bridge, backg
whatever. Com
some fun.

Witts
Community
Store. Items d
eligible for a
All items are
each. Invento
frequently. So,
check out on

Jonesboro, Arkansas!

Memphis Flea Market
& Craft Bazaar
THE BIG ONE

August 1st & 2nd
NEA EXPO CENTER (FAIRGROUNDS)
7001 Johnson Ave. Jonesboro, AR
Saturday 9 - 5 and Sunday 9 - 4:30

For information, Call
501-262-5415 or 901-276-3532
www.memphisfleamarket.com

If You had a HOMEOWNER'S PROPERTY DAMAGE C

While insured by any of
following Insurance Compa
in the last 5 years,
YOU MAY BE ENTITLED
COMPENSATION
American Family • Liberty M
Federal Insurance (Chub
Nationwide • State Farn
Farmers Fire Ins. Exchan
Farmers Insurance Company
Allstate • Safeco

Please contact: CASEY CASTLEE
Murphy, Thompson, Arnol
Skinner & Castleberry
for a FREE CONSULTA
1-888-902-5580
Batesville, Arkansas

EXHIBIT 6

-SY 2015-16
FOR FREE AND REDUCED PRICE MEALS

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Searcy County Circuit Court
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2021-Aug-02 11:58:13
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 4

Ad for "Help" at Business

CL > san diego > city of san diego > personals > rants & raves

reply Posted: 2 days ago

I need a hotty to help me run my business - 41 (294



Hi, my name is Micheal. I'm 41 years old, I love sex, white male, looking fir

- do NOT contact me with unsolicited services or offers

post id: 4486943080 posted: 2 days ago updated: a day ago email to friend

EXHIBIT 4

RP 0277



LAURA LYNN
2946 GARNET AV
SAN DIEGO CA 92121

ATTENTION LAURA LYNN

9210936825 46

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Aug-02 11:58:13
65CV-21-20
C20D01 : 16 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	PLAINTIFF
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	DEFENDANTS
LAURA LYNN HAMMETT	COUNTER-CLAIMANT
v.	
MICHEAL PIETRCZAK	COUNTER-DEFENDANT

EXHIBIT 3

Distribution Check Stubs

UnionBank

JUNE 06, 2012

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0005577-005577 941426
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

THIS CHECK WAS PREPARED BY UNION BANK'S BILL PAYING SERVICE AND REPRESENTS OUR MUTUAL CUSTOMER'S PAYMENT TO YOU. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT US AT 1-800-835-6538.

CHECK NBR: 8687168

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 06-05-12	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/20

EXHIBIT 3 101

UnionBank

NOVEMBER 05, 2012 H

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0007308-007308 973525
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 9551687

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 11-02-12	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

UnionBank

JANUARY 04, 2013

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0006324-006324 309895
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 9911027

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 01-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/

UnionBank

FEBRUARY 05, 2013

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0014099-014099 317001
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 0113798

---------- AUTHORIZED PAYMENT LIST ----------

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 02-04-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/2(

UnionBank

MARCH 05, 2013

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0014630-014630 322700
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 0287402

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 03-04-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/2

UnionBank

APRIL 04, 2013

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0005979-005979 328634
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 0476074

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 04-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/20

UnionBank

MAY 06, 2013

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0006588-006588 334593
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 0660390

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 05-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/20)

UnionBank

JUNE 04, 2013

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0017831-017831 339947
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 0835720

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 06-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/2

UnionBank

JULY 05, 2013

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0005847-005847 345547
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 1028185

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 07-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

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UnionBank

AUGUST 06, 2013 H

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0012919-012919 351055
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 1222548

---------- AUTHORIZED PAYMENT LIST ----------

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 08-05-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/20

UnionBank

SEPTEMBER 04, 2013

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0019653-019653 355717
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 1388616

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 09-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/2

UnionBank

OCTOBER 04, 2013

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0006092-006092 361251
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 1584155

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 10-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/2(

UnionBank

OCTOBER 07, 2013 H

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0006030-006030 361618
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 1593229

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION BONUS DISTRIBUTION	8,494.26 10-04-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/20

UnionBank

NOVEMBER 05, 2013 H

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0014096-014096 366996
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 1776311

---------- AUTHORIZED PAYMENT LIST ----------

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 11-04-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/201

UnionBank

DECEMBER 04, 2013

UNION BANK
P.O. BOX 30700
LOS ANGELES CA. 90030-0700

0006740-006740 372016
LAURA LYNN
2946 GARNET AVENUE
PACIFIC BEACH CA 92109

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CHECK NBR: 1958632

AUTHORIZED PAYMENT LIST

CUSTOMER ACCOUNT NUMBER / REFERENCE NUMBER	AMOUNT / CUST PAID	CUSTOMER AND ADDRESS
CAPITAL DISTRIBUTION DISTRIBUTION	7,078.55 12-03-13	SILVER STRAND PLAZA LLC 24178 PARK RIVIERA CALABASAS CA 91302-2533

FORM 02825 (Rev. 01/201

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Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Aug-02 11:58:13
65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK — **PLAINTIFF**

v.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN — **DEFENDANTS**

LAURA LYNN HAMMETT — **COUNTER-CLAIMANT**

v.

MICHEAL PIETRCZAK — **COUNTER-DEFENDANT**

EXHIBIT 2
Paragraph 1 Showing Pietrczak Living "Temporarily" in Malvern

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2018-Jan-16 14:23:03
65CV-18-8
C20D01 : 41 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL PIETRCZAK — PLAINTIFF

V. CASE NO. 65CV-2018-____

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN — DEFENDANT

COMPLAINT
AND
DEMAND FOR JURY TRIAL

Comes now, the Plaintiff, Micheal Pietrczak (hereafter referred to as "Pietrczak") – Walter Pietrczak, Power of Attorney-in-Fact or Plaintiff, via his attorneys, William Z. White and Chris O'Neill of the White Law Firm, who in support of this Complaint, states and alleges as follows:

PARTIES, JURISDICTION, AND VENUE

1. Pietrczak is, at all relevant times of the events that gave rise to this lawsuit, a resident of Searcy County, Arkansas. Pietrczak has temporarily moved in with his father, Walter Pietrczak, while this litigation unfolds due to extenuating and life threatening health conditions.

2. The Rural Revival Living Trust, is, at all relevant times of the events that gave rise to this lawsuit, located within Searcy County, Arkansas having a principal address of P.O. Box 14, Witts Spring, Arkansas, 72686.

3. Laura Lynn (hereafter referred to as "Lynn") is, at all relevant times of the events that gave rise to this lawsuit, a resident of Searcy County, Arkansas.

4. Mr. Walter Pietrczak is the duly authorized agent of the Plaintiff as indicated by the Durable Power of Attorney executed by the Plaintiff and filed of record with the Hot Spring

EXHIBIT 2

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Aug-02 11:58:13
65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 1

Letter Showing Residency in Hope, Arkansas

ELECTRONICALLY FILED
Hot Spring Co. District Court in Malvern
Melba Russell, District Court Clerk
2017-Jun-16 09:31:58
MVC-16-795
DJ30MV : 1 Page

LAUREL BROOK HEALTHCARE & REHAB CENTER
1901 SOUTH LAUREL STREET
HOPE, AR 71801
870-777-8855

June 16, 2017

To Whom It May Concern:

I am writing to inform you that Micheal Pietrczak is a resident of our nursing home. He is being treated here for numerous medical conditions including wound care and paraplegia. He is unable to fulfil his obligations to his probation while in his current medical state.

If you need more information, please contact me or the director of nursing for the facility.

Thank you,

Phyllis Young, LNHA
CEO

EXHIBIT
1

Jun 6 2017 3:09pm Laurel Place Healthcare 8707778464 page 2

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Aug-02 11:58:13
65CV-21-20
C20D01 : 2 Pages

Laura Lynn Hammett
500 Amity Road, Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

SUSAN K. WEAVER
CIRCUIT JUDGE
1st DIVISION 20th JUDICIAL DISTRICT
FAULKNER COUNTY JUSTICE BUILDING
510 SOUTH GERMAN LANE
MAILING ADDRESS
801 LOCUST STREET
CONWAY, ARKANSAS 72034

August 2, 2021

Filed on Eflex.

RE: 65CV-21-20 Pietrczak v. Rural Revival Living Trust, et al.

Dear Judge Weaver and Counsel of Record,

Today, August 2, 2021, I looked at Court Connect and saw three responses to my motions filed by attorney William Zac White, which were file stamped on July 30. 2021about 3:10 PM. I was working on the case all weekend but this is the first time I saw the responses. Perhaps they did not get entered until today.

Each of the responses has a certificate of service signed by Mr. White that says he served me by "email". I have not received any emails from Mr. White since June 23, 2021.

So as not to have a "he said/she said", I am filing my exhibits that are evidence in the case electronically through eflex, as well as by email to wzwhite@wzwhite.com. That will cause electronic notification to Mr. White.

Respectfully Submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, Defendant and Counterclaimant in pro se

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Aug-02 11:58:13
65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 22

Pietrczak was Trustee of Lynn Trust

DESIGNATION OF SUCCESSOR TRUSTEE FOR THE LAURA LYNN LIVING TRUST DATED DECEMBER 25, 2014

I, Laura Lynn, grantor of the Laura Lynn Living Trust Dated December 25, 2014, find reason that neither Branden Lynn nor Sean Lynn can serve as trustee. As per section 7B of the trust agreement, I designate Micheal Pietrczak as trustee.

Laura Lynn and Micheal Pietrczak agree that in consideration of the mutual covenants and promises set forth in the original trust agreement, incorporated herein in its entirety, that Micheal Pietrczak is the new trustee of the Laura Lynn Living Trust.

Laura Lynn, Grantor / Date

Micheal Pietrczak, Trustee/ Date

NANCY L. WEAVER
SEARCY COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires August 01, 2019
Commission No. 12371796

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Aug-02 11:58:13
65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 23

Pietrczak Changed Address So Lynn Would Miss Payment

Joey Pruitt
Collector
P.O. Box 812
Marshall, AR 72650
(870) 448-5050

Delinquent Personal Receipt 50010960
Searcy County, Arkansas

PAID RECEIPT

REPRINT 11/05/2018 01:26 pm
Posted 02/02/2018 01:59 pm

If payment is made by check and same is not honored on presentation, receipt is null and void.

Payment Received TAH 02/02/2018
02/02/18 IN OFFICE TAH

1018134
PIETRCZAK MICHEAL & LYNN LAURA
903 LINCOLN ST
MALVERN AR 72104

Parcel Number	Year	Owner and Legal Description	Valuation	Millage	Amt Due	Amt Paid
0012283	2016	PIETRCZAK MICHEAL & LYNN LAURA				
		Personal Property				
	17R	Personal Property	13,950	47.55	$731.65	
		Payment Received				$663.32
		Penalty				$66.33
		Advertising Cost				$2.00
				Total Payment Applied		$731.65

Distribution of Tax Dollars

SCSD	$509.37
County General	$55.80
County Roads (Full)	$41.85
County Library	$41.85
County Bld Mant Fund	$13.95
Other Taxes	$68.33
Total Tax	$731.65

Check	$731.65
Cash	$0.00
Total	**$731.65**
Ck #/Auth	052553
Total Parcels Paid	1

Account Balance: $ 0.00

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C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 24

Pietrczak Told Psych Hospital Lynn was His "Wife"

San Diego County Psychiatric Hospital
3853 Rosecrans Street
San Diego, CA 92110
(619) 692-8232

Patient Discharge Instructions

Name: PIETRCZAK, MICHAEL ALEXANDER
Current Date: 29-May-2013 12:49:06
DOB: [redacted]1972 12:00 AM **MRN:** [redacted]8553 **FIN:** [redacted]2399
Patient Address:
Patient Phone:
Psychiatrist: Sable, Jeremy A.

You Have Received Treatment At Our Hospital For The Following Medical and Psychiatric Condition(s):
emotional disturbance/alcohol abuse
Toe fracture
Your Level Of Care Was:
Inpatient
Discharge Diagnosis: Adjustment disorder NOS; Alcohol-induced mood disorder; Cannabis abuse, unspecified

San Diego County Psychiatric Hospital would like to thank you for allowing us to assist you with your healthcare needs. The following includes patient education materials and information regarding your illness.
You are advised to return to the emergency psychiatric unit should you experience any severe medication side effects, or a worsening in your clinical condition, including suicidal, violent, homicidal feelings or any other crisis or emergency.
Alternatively, call Access/Crisis Line 1 (888) 724-7240, call 911 and/or present to a Medical Emergency Room.

Immunizations:
TB Test Done:
No
If Yes, Results:
Date Read:

PPD mm of Induration:

PPD Interpretation:

If Given Then Results Have Not Been Read, Indicate Date For Results To Be Read:

Influenza Vaccine Given This Admission:

If Yes, Date Given:

Pneumonia Vaccine Given This Admission:
No
If Yes, Date Given:

Comment:
PIETRCZAK, MICHAEL ALEXANDER has been given the following list of follow-up instructions, prescriptions, and patient education materials:
Follow-up Instructions

With:	Address:	When:
Follow up with HOPE Connections		In 2 days 31-May-2013

Comments:

With:	Address:	When:
Patient will discharge to his home. His wife will pick him up today.		In 2 days 31-May-2013

Comments:

With:	Address:	When:
MHOPC-North Central Clinic	1250 Morena Blvd San Diego, CA 92110 6196928750 Business (1)	In 2 days 31-May-2013

Comments:

With:	Address:	When:
MHOPC-Douglas Young Clinic	10717 Camino Ruiz, Suite 207 San Diego, CA 92126	31-Dec-2012 09:00:00

Comments:

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65CV-21-20
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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 25

One Alcohol Episode Remorse Noted

PIETREZAK, MICHAEL A
MRN: [redacted]4988 DOB: [redacted]1972 M/40
12/27/12 ED FIN: [redacted]6014
MORIKADO, LISA MARIE MD
SCRIPPS MEMORIAL HOSPITAL, LA JOLLA

SCRIPPS HEALTH **EMERGENCY FACESHEET**
Account: [redacted]6014 **PIETREZAK MICHAEL A**

Reg By: JPS

VISIT INFORMATION
Admit D/T: 12/27/12 11:52 PM
Svc: EMERGENCY DEPT
OR Case: EA: Clergy: NO Conf: UNCLASSIFIED
Att: MORIKADO LISA MARIE MD Phn: 858 626-6151
Ref: NONE NONE MD Phn:
PCP: NONE PER PT Grp: NONE
Complaint: ETOH Prio: EMERGENCY Src: NON HLT FAC/P O
ED Arr: PARAMEDIC Dte:
Accident: N

PATIENT INFORMATION MDRO:
Name: PIETREZAK MICHAEL A DOB: 10/17/1972 SSN: XXX-XX-0332
Sex /Age: M/40 Marital: SINGLE Race: WHITE Hisp: NON-HISPANIC
Rel: NPR MedLang: ENG Dev:
Local Addr: 2946 GARNET AVE
SAN DIEGO, CA 92109 Phn: 760 696-7982
Oth Addr: Oth Phn: 760 966-6000

EMPLOYMENT:
Empl: SELF EMPLOYED
Addr:
Phn: Ext:
Sts: SELF EMPLOYED Occupation: BUSINESS OWNER

CONTACT
Name: LIN LAURA Rel: SIGNIFICANT Contact: Y
Addr:
Phn: 760 966-6000 Oth Phn: Ext:

GUARANTOR
Name: PIETREZAK MICHAEL A DOB: 10/17/1972 SSN: XXX-XX-0332
Addr: 2946 GARNET AVE
SAN DIEGO CA 92109 Phn: 760 696-7982
Empl: SELF EMPLOYED
Addr:
Phn: Ext:
Sts: SELF EMPLOYED Occupation: BUSINESS OWNER

INSURANCE
1) Prim Ins: CMS/LIHP ED PENDING Phn: 866 262-9881
Addr: PO BOX 939016 AMERICHOICE
SAN DIEGO CA 92139
Pol: 535760332 Grp: Num:
Auth: Track#:
Insured: PIETREZAK MICHAEL A DOB: 10/17/1972 SSN: XXX-XX-XXXX
2) Sec Ins: SELF PAY Phn:
Addr:
Pol: Grp: Num:
Insured: DOB: SSN: XXX-XX-XXXX

Comment: MEDIC 21 Print Dte: 12/28/12
Comment: NOPP: 12/28/12 Tme: 07:26 AM

Scripps Memorial La Jolla

EMERGENCY RECORD

PATIENT: PIETREZAK , MICHAEL A
MR#: [redacted]4988 ACCT#: [redacted]6014
DATE OF SERVICE: 12/28/2012

TIME SEEN:
0020.

TIME OF DICTATION:
0936.

METHOD OF ARRIVAL:
Paramedic.

CHIEF COMPLAINT:
Alcohol intoxication.

HISTORY OF PRESENT ILLNESS:
This is a 40-year-old male who was found walking down the middle of the street intoxicated. The police pulled over to get him out of the street, and he started banging his head on the ground. He admits to drinking alcohol. He was combative en route. He had no real trauma other than the self-inflicted trauma of banging his head on the ground.

PAST MEDICAL HISTORY:
He admits to medical marijuana. His past medical history is unknown.

FAMILY HISTORY:
Unknown.

SOCIAL HISTORY:
Unknown.

10-SYSTEM REVIEW OF SYSTEMS:
Unable to be performed secondary to patient's condition.

PHYSICAL EXAMINATION:
GENERAL: This is an intoxicated young male in four-point restraints.
VITAL SIGNS: His temperature is 37, blood pressure 108/68, pulse 87, respiratory rate is 18, O2 sat is 99% which shows good oxygenation.
HEENT: He has multiple abrasions over his head. Pupils equal, round, reactive to light. TMs are clear. Oropharynx shows poor dentition.
NECK: In a C collar. Denies any tenderness.
CHEST: Clear, nontender to palpation.
CARDIOVASCULAR: Regular rate and rhythm without murmur.
ABDOMEN: Soft, nontender.
NEUROLOGIC: He is strongly moving all extremities. He keeps apologizing and saying that he will be nice now. He is moving all extremities very purposefully. Does know his name is Michael and is able to spell his last name for us.

EMERGENCY DEPARTMENT COURSE AND MEDICAL DECISION MAKING:
Initially when he got here, he was very intoxicated and in four-point restraints, but we quickly got him out of the restraints because he agreed to be cooperative. He went over to the CAT scanner and again became very agitated, stating that he wanted to kill himself again and tried to escape from the CAT scanner and banged his head on the hallway floor multiple times and against the gurney. He was given Haldol 5 mg IM x2 and Ativan 2 mg IM after being brought back to the department again in four-point restraints.

After chemical restraints kicked in, he was removed from his behavioral restraints, went over, got a CT scan of the head and neck which was normal for any intracranial abnormality.

His electrolytes were remarkable for a sodium of 151, potassium 3.7, chloride of 109, BUN and creatinine of 7 and 0.6. Blood alcohol of 0.23. White count was 8.1 with hematocrit of 45.6, platelets of 239. Drug abuse screen was positive for THC.

Over the course of the evening, he cleared. He did complain of left shoulder pain. A left shoulder series x2 was obtained which was negative for any signs of fracture, dislocation, or soft tissue abnormality. He cleared very appropriately over the morning, was no longer complaining of any suicidality. The PET team came in for evaluation, as well, and he was able to contract for safety. He says he has one previous psychiatric admission. The reason that he does not drink is because he does not handle his alcohol well.

IMPRESSION:
Alcohol intoxication.

PLAN:
He was given referrals by PET team, and he contracts for safety and is no longer homeless now. He is in a long-term relationship, and his girlfriend was able pick him up.

DICTATED BY: LISA M MORIKADO, MD

LMM:Spheris77732 C: 01/02/13 10:33 CONFIRMATION #: 373769
D: 01/02/13 09:39 T: 01/02/13 10:33 DOCUMENT: 201301020990481300
Authenticated by Lisa M. Morikado, M.D. On 01/16/2013 03:10:28 PM

Scripps Memorial La Jolla

EMERGENCY RECORD

PATIENT: PIETREZAK , MICHAEL A
MR#: [redacted]4988 ACCT#: [redacted]6014
DATE OF SERVICE: 12/28/2012

ADDENDUM

He also had been complaining of left shoulder pain and a left shoulder x-ray x2 was obtained, which showed no evidence of fracture, dislocation, or soft tissue abnormality.

DICTATED BY: LISA M MORIKADO, MD

LMM:Spheris52752 C: 12/29/12 01:16 CONFIRMATION #: 372764
D: 12/29/12 01:00 T: 12/29/12 01:16 DOCUMENT: 201212290990230700
Authenticated by Lisa M. Morikado, M.D. On 01/02/2013 07:32:33 AM

Scripps Memorial La Jolla

EMERGENCY RECORD

PATIENT: PIETREZAK , MICHAEL
MR#: [redacted]4988 ACCT#: [redacted]6014
DATE OF SERVICE: 12/27/2012

TIME SEEN:
0020.

TIME OF DICTATION:
0054.

METHOD OF ARRIVAL:
Paramedic.

CHIEF COMPLAINT:
Alcohol intoxication.

HISTORY OF PRESENT ILLNESS:
This is a 40-year-old male who was brought in from _____ after he was day walking while intoxicated, lid down and started slamming his head on the sidewalk, when the police tried to pull him over, and expressed suicidal ideation. He has some abrasions on his head from banging his head on the ground and banging his head on the gurney, but had no actual trauma per the police other than that, that was self-inflicted.

PAST MEDICAL HISTORY:
Unknown.

ALLERGIES:
NONE.

CURRENT MEDICATIONS:
Trazodone and marijuana.

SOCIAL HISTORY:
Unknown.

FAMILY HISTORY:
Unknown.

REVIEW OF SYSTEMS:
10-system review of systems unable to be performed secondary to patient's condition.

PHYSICAL EXAMINATION:
GENERAL: This is a combative gentleman in 4-point restraints.
VITAL SIGNS: Temperature is 37, blood pressure 108/68, pulse is 87, respiratory rate is 18, and O2 sats 99% and shows good oxygenation.
HEENT: He has multiple abrasions over the forehead. No real cephalohematoma. Pupils are equal, round, and react to light.
NECK: Nontender, but was left in a C-collar.
CHEST: Clear. Nontender to palpation.
CARDIOVASCULAR: Regular rate and rhythm without murmur.
ABDOMEN: Scaphoid, nontender.

EXTREMITIES: Otherwise warm, well perfused. He is strongly moving all 4 extremities with purpose.

EMERGENCY DEPARTMENT COURSE AND MEDICAL DECISION MAKING:
_____ the paramedics, he was very combative, but on arrival here, he _____ and was actually cooperative and remorseful; however, when he went over for a CT head and C-spine, he became very combative, tried to run from the CT scan, and had to be brought back here and placed in restraints. He was given Haldol 5 mg x2 and Ativan 2 mg IM. His CT of the head and C-spine were negative. His electrolytes were remarkable for a sodium of 151, BUN and creatinine of 7 and 0.6 and were otherwise unremarkable. Blood alcohol was 0.23. White count was normal at 8.1 with hematocrit of 45.6 and platelets of 239. His drug abuse screen was positive only for marijuana. Over the course of the night, he cleared actually very appropriately, was very remorseful. He states that he has had one psychiatric admission and was diagnosed with possible bipolar disorder. We placed him on trazodone for that, but he really has not been taking that, and PET team came in for evaluation, and he denies any suicidality now. I re-evaluated him as well and completely denies any suicidality and has no memory of last night. He states that he has been sober for the last 3 years and in a stable relationship. He uses medical marijuana for anxiety and does have a prescription for that, but he says he does not really drink very often and does not drink because he tends to get combative with drinking.

IMPRESSION:
Alcohol intoxication with situational suicidality, now completely resolved while he is sober. PET team came in for evaluation. He actually does have a psychiatrist that he can see for followup.

PLAN:
Discharge to home. Again we will instruct him to not drink, and return here if worse in anyway.

DICTATED BY: LISA M MORIKADO, MD

LMM:Spheris52597 C: 01/03/13 07:45 CONFIRMATION #: 372763
D: 12/29/12 00:59 T: 12/29/12 04:30 DOCUMENT: [redacted]9700
Authenticated by Lisa M. Morikado, M.D. On 01/16/2013 03:10:31 PM

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 14

Pre-Disposition Minutes

Battery on Police Officer

et al

614 450 4 [illegible] SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

☐ Central Division ☐ East County Division ☐ North County Division ☐ South County Division Waivers: ☐ Time ☐ 4th

PEOPLE vs. _____ STATUS: _____ $ _____ ☐ BB ☐ CB (Y/N)

CASE # _____ PROS. # _____ DOB: _____ BKG # _____ CTS: _____ days _____ hrs.

DATE: _____ AT _____ DEPT. # _____ INTERP: _____ ☐ Spanish ☐ Sworn ☐ Oath on File

JUDGE/COMM/TEMP JUDGE: _____ ☐ STIP. FILED REPORTER: _____

CLERK: _____ CSR # / COUNTER #: _____

CHARGE(S): .....

.....

FUTURE DATES: _____ ☐ CONFIRMED ☐ VACATED

Attorney for the People (DDA / DCA / DAG) ☐ Supervised Cert. Legal Intern

Attorney for Defendant (PD / APD / OAC / Retained / Counseling) ☐ Supervised Cert. Legal Intern

DEFENDANT: ☒ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR

Case called for ☐ **FTA** ☐ **Arraignment** ☐ **Bail Review** ☐ **Readiness/DWT** ☐ **Jury Trial** ☐ **Preliminary Examination** ☐ **Motion**

☐ **DEJ** _____ ☐ Full ☐ Limited Protective Order Expires: _____ Protected Party: _____

☐ **Warrant Ordered/Issued on** _____ ☐ **Held to today** ☐ **Cleared** ☐ **Outstanding.** ☐ **Bail Bond #** _____ **$**_____ **forfeited.**

CASE TRANSFERRED TO DEPT. _____ **TIME ESTIMATE:** _____

Complaint amended ☐ by interlineation to read: _____.

☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☐ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f)

☐ _____ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other: _____.

☐ Defendant advised of and waives the right to a **separate and conflict-free attorney / interpreter** for this court appearance.

☒ Defendant duly arraigned and advised of the **constitutional and statutory rights** as indicated on the reverse side of this minute order*.

☐ Acknowledgment of advisal of constitutional rights signed and filed. ☐ Defendant has received copy of complaint.

☐ Defendant waives reading of complaint. ☒ Deft. states **true name** is _____ ☐ on complaint [_____ line]

☐ **DEFENDANT PLEADS NOT GUILTY** and denies any priors/allegations/separate convictions alleged ☐ on amended complaint.

☐ Defendant **WAIVES:** ☐ time for speedy trial ☐ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977
☐ bail review ☐ jury trial ☐ preliminary hearing

COUNSEL ☒ **MOTION FOR APPOINTED ATTORNEY** ☒ **Granted** ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned Counsel

Atty: _____ ☐ **Denied** ☐ Referred to Near Indigent Panel ☐ Defendant to retain counsel.

☐ Motion for self-representation is ☐ granted ☐ denied. ☐ Faretta/Lopez Waiver signed & filed. ☐ OAC appointed - legal runner/reasonable ancillary services.

CONVICTION ☐ Deft. is sworn and examined. ☐ Defendant withdraws any previously entered plea.

DEFENDANT PLEADS: ☐ **GUILTY** ☐ **NO CONTEST** to: _____ ☐ VC23152(a) / (b)

☐ Admits _____ separate conviction(s) alleged/ _____ allegation(s)

☐ Charges contained in amended/amendment to complaint. ☐ VC23103(a) per 23103.5 ☐ as a lesser included offense of _____.

☐ On motion of Court/People/Defendant remaining count(s)_____ is/are **DISMISSED**. Allegation(s)/Prior(s) remaining is/are **STRICKEN** ☐ FOJ ☐ VOP

☐ Plea form executed and filed ☐ People vs. West ☐ BAC: . _____

☐ Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.

☐ **ADVISALS** given by the court: ☐ Theft - PC666 ☐ DUI – VC23593 ☐ Consequences of Conviction – PC1016.5

☐ **WAIVERS:** ☐ Arbuckle ☐ Blakely ☐ Cruz ☐ Harvey ☐ Appeal Rights ☐ Non-Bio. Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.

☐ PC1210 ☐ Drug Court ☐ accepted ☐ declined.

☐ Stipulated bindover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the Information.

☐ Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).

MOTION for _____ by ☐ People ☐ Defendant ☐ with ☐ without objection ☐ GRANTED ☐ DENIED.

PC1000 ☐ Defendant's motion for ☐ reinstatement to ☐ PC1000 granted as to count(s) _____, for ____ mo./ yrs. ☐ New term

☐ Time waived for sentencing ☐ S.D. Rescue Mission Program ☐ Enroll by _____ Comply with all directions of Assessor.

☐ $ _____ PF / Admin Fees (PC1001.16(a) and PC1001.90) ☐ Forthwith ☐ By

PC243(B) - Battery on Peace Officer

☐ Defendant has FAILED to satisfactorily perform in the DEJ Program. ☐ PC1000 set aside and any unpaid fees pertaining thereto deleted.
☐ Court makes a finding of guilt to the charge(s) pled. ☐ Time waived for sentencing, see JUDGMENT.

REFERRALS **Report** ☐ forthwith ☐ by _____ **to** ☐ Assessment Unit ☐ Probation Department ☐ Probation to interview.
☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.
☐ Pre-sentence report waived. ☐ Court Collections ☐ for payment of attorney fees ** $ _____ ☐ Indigent as to attorney fees.
** The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.

HEARINGS Set/cont. on motion of ☐ People ☐ Defense ☐ Opposed ☐ Unopposed ☐ By Stipulation, _____ ☐ Statutory time is **WAIVED**
DEFENDANT IS ORDERED TO APPEAR for ☐ _____ on _____ at _____ in Dept. _____

☐ Re: Attorney	_____ at _____ in Dept. _____		☐ Motion/PC1538.5	_____ at _____ in Dept. _____	
☐ Arraignment	_____ at _____ in Dept. _____		☐ Jury / Court Trial	_____ at _____ in Dept. _____	
☐ Bail Review	_____ at _____ in Dept. _____		☐ Sentencing	_____ at _____ in Dept. _____	
☐ Readiness/DWT	_____ at _____ in Dept. _____		☐ Prob. Hrg.& Sent	_____ at _____ in Dept. _____	
☐ Prelim Exam	_____ at _____ in Dept. _____		☐ DEJ ☐ Drug Ct	_____ at _____ in Dept. _____	

Time Estimate: _____hr/day Set with case(s): _____

MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on _____ at _____ by Forensic Psychiatry Clinic. Females - Room 1003, Central Division; Males – Central Detention Facility. Hearing on _____ at _____ in Dept. _____ of the Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.
☐ Book & Release – Report on _____ at _____ to ☐ Central ☐ Vista ☐ Las Colinas Detention Facility.

CUSTODY STATUS Defendant ☐ **REMANDED** to custody of Sheriff ☐ without bail ☐ with bail set at / increased to / reduced to $ _____
☐ PC1275.1 HOLD. ☐ Pretrial Services Report Ordered re: SOR ☐ Refer to CPAC.
☒ **REMAINS AT LIBERTY** ☐ **RELEASED:** ☐ on bail previously posted. ☐ after booking ☐ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions
☐ same terms and conditions ☐ to an authorized representative of: _____ on _____ at _____
☐ Release Conditions: ☐ Attend _____ self-help mtgs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.
☐ Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia.
☐ Deft. waives **4th amendment rights** and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked. ☐ for the duration of deferred entry of judgment. ☐ Have no contact with / stay away from: _____ ☐ **Protective Order** issued.
☐ Previously ordered: ☐ **4th WAIVER** ☐ continues ☐ deleted ☐ **PROTECTIVE ORDER** ☐ continues ☐ deleted.

WARRANT ☐ Arrest ☐ Bench ☐ _____ Warrant ordered ☐ Bail set at $_____ ☐ No Bail. ☐ Counsel reports no contact with defendant.
☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ **ISSUED ON:** _____ _____
☐ HOLD issuance to DATE ABOVE. ☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ **RECALLED ON:** _____ _____
☐ Affidavit requested. Due by: _____

BAIL is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ re-assumption of liability filed.
☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost $ _____ within 30 days ☐ cost waived
☐ Bond #: _____ Bond $_____ Bond Co. _____

Date: _____ ATTEST A TRUE COPY, Clerk of the Superior Court by _____ Deputy

Distribution by: _____ on _____ to: Jail Deft. Atty. Pros. Prob. R&R Interpreter Acct. Assessment Other: _____

MISDEMEANOR/FELONY – PRE-DISPOSITION MINUTES

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65CV-21-20
C20D01 : 6 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 23CV-21-318

MICHEAL PIETRCZAK **PLAINTIFF**

V.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

LAURA LYNN HAMMETT'S REPLY TO PIETRCZAK'S RESPONSE TO THE MOTION FOR CONTINUANCE

COMES NOW, Separate Defendant named as "Laura Lynn", which the answering defendant believes to be a misnomer for "Laura Lynn Hammett", herein referred to as "Defendant" in *pro se*, and for her Reply Regarding the Motion for Continuance of the Hearing set for August 4, 2021 at 9:00 a.m. states as follows:

1. Plaintiff filed a most bizarre "PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR CONTINUANCE" on July 30, 2021.

2. He opened by stating: "Comes now the Plaintiff, via the attorney, William Z. White, who in support of this Plaintiffs' Reply to Counter-Claimant Laura Lynn Hammett's Motion for Default Judgment[]".

3. Defendant cannot figure out what the motion is about. The Continuance? The default judgment?

4. Irrespective, the response (called a reply by the plaintiff) fails for several reasons.

5. First, it is untimely. (See brief ⁋⁋ 10-11.)

6. Second, there are no arguments. Along those lines, there is no brief. (See brief ⁋⁋ 12-13.)

7. Plaintiff requests an award of "all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not." There is no legal basis given for any award.

8. Sanctions against Mr. White are appropriate as per ARCP Rule 11, and Defendant prays the Court will give an OSC as to why it should not impose sanctions on its own motion. (See brief ¶ 14.)

9. That being said, because Plaintiff disagreed with Defendant's motion, and because Defendant is obviously much better prepared than Plaintiff for whatever is discussed at the hearing, the topic of which Plaintiff stated was "August 4, 2021", the Defendant withdraws her request for continuance. For economy of resources, perhaps the Court can bring the suit to a just end. At least until Mr. White files an equally untenable nuisance appeal. (See brief ¶ 15.)

BRIEF IN SUPPORT

10. "Any party opposing a motion shall serve a response within 10 days after service of the motion." *Rule 6 - Time*, Ark. R. Civ. P. 6

11. Defendant filed and served her motion for continuance on June 10, 2021. A response would be due on June 20, 2021, except that is a

Sunday. Therefore, the response was due on Monday, June 21, 2021. It is therefore untimely.

12. "All motions required to be in writing and any responses and replies shall include a brief supporting statement of the factual and legal basis for the motion, response, or reply and the citations relied upon. Any supporting affidavits shall be served with the motion, response, or reply. Failure to satisfy these requirements shall be ground for the court's striking the motion, response, or reply." *Rule 7 - Pleadings and Motions*, Ark. R. Civ. P. 7

13. The response was devoid of argument or brief, therefore the Court should strike it.

14. "Sanctions are mandatory when a violation of Rule 11 occurs. Rules Civ.Proc., Rule 11." *Williams v. Martin, 335 Ark. 163, 980 S.W.2d 248 (1998), opinion supplemented on denial of reh'g, 335 Ark. 163, 984 S.W.2d 449 (1999*)

15. "These rules shall govern the procedure in the circuit courts in all suits or actions of a civil nature with the exceptions stated in Rule 81. They shall be construed and administered to secure the just, speedy and

inexpensive determination of every action." Rule 1 - Scope of Rules, Ark. R. Civ. P. 1

16. Defendant was perplexed as to why the Court did not continue the hearing until at least the defendants were served summons. Maybe the Court had wisdom and experience to know the case was going nowhere.

WHEREFORE, Defendant respectfully asks this Court to move forward with the proceedings; and for such other and additional relief as the Court deems just and proper in law or equity.

Respectfully submitted,

August 2, 2021

Laura Lynn, Defendant in pro se

By /s/ Laura Lynn Hammett

500 Amity Road Suite Suite 5B #306
Conway, Arkansas 72032
Phone: (760) 966-6000
Email: Bohemian_Books@yahoo.com

CERTIFICATE OF SERVICE

I, Laura Lynn Hammett, state that the foregoing document was filed electronically on August 2, 2021, thereby being served on Counsel of record who has agreed to electronic service.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant in pro se

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/s/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 23CV-21-318

MICHEAL PIETRCZAK **PLAINTIFF**

V.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

LAURA LYNN HAMMETT'S REPLY TO PIETRCZAK'S RESPONSE TO THE MOTION FOR DEFAULT JUDGMENT

COMES NOW, Separate Defendant named as "Laura Lynn", which the answering defendant believes to be a misnomer for "Laura Lynn Hammett", herein referred to as "Defendant" in *pro se*, and for her Reply Regarding the Motion for Default Judgment states as follows:

1. Plaintiff filed a "PLAINTIFFS' REPLY TO COUNTER-CLAIMANT LAURA LYNN HAMMETT'S MOTION FOR DEFAULT JUDGEMENT AND BRIEF IN SUPPORT THEREOF" on July 30, 2021.
2. Plaintiff's document is a response, not a reply, and thus will be called "Response" herein.
3. The first word in the title "PLAINTIFFS'" implies there is more than one plaintiff, but the caption lists only one plaintiff and does not say "et al". Defendant does not adopt the contention that there are multiple plaintiffs in this case.
4. The Response is untimely. (See brief ¶¶ 9, 10.)
5. Second, there are no arguments. Along those lines, there is no brief. (See brief ¶¶ 11, 12.)
6. Plaintiff requests an award of "all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not." There is no legal basis given for any award.
7. Sanctions against Mr. White are appropriate as per ARCP Rule 11, and Defendant prays the Court will give an OSC as to why it should not impose sanctions on its own motion. (See brief ¶¶ 13,14.)
8. Because it was untimely and no arguments were raised, the Response should be disregarded.

BRIEF IN SUPPORT

9. "Any party opposing a motion shall serve a response within 10 days after service of the motion." *Rule 6 - Time*, Ark. R. Civ. P. 6

10. Defendant filed and served her motion for default judgment on July 13, 2021. A response would be due on July 23, 2021. It was filed on July 30, 2021 and is therefore untimely.

11. "All motions required to be in writing and any responses and replies shall include a brief supporting statement of the factual and legal basis for the motion, response, or reply and the citations relied upon. Any supporting affidavits shall be served with the motion, response, or reply. Failure to satisfy these requirements shall be ground for the court's striking the motion, response, or reply." *Rule 7 - Pleadings and Motions*, Ark. R. Civ. P. 7

12. The response was devoid of argument or brief, therefore the Court should strike it.

13. "Sanctions are mandatory when a violation of Rule 11 occurs. Rules Civ.Proc., Rule 11." *Williams v. Martin, 335 Ark. 163, 980 S.W.2d 248 (1998), opinion supplemented on denial of reh'g, 335 Ark. 163, 984 S.W.2d 449 (1999*)

14. "These rules shall govern the procedure in the circuit courts in all suits or actions of a civil nature with the exceptions stated in Rule 81. They shall be construed and administered to secure the just, speedy and inexpensive determination of every action." Rule 1 - Scope of Rules, Ark. R. Civ. P. 1

WHEREFORE, Defendant respectfully asks this Court to grant the proposed order to grant default judgment against Micheal Pietrczak; and for such other and additional relief as the Court deems just and proper in law or equity.

Respectfully submitted,

August 3, 2021

Laura Lynn, Defendant in pro se

By /s/ Laura Lynn Hammett

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CERTIFICATE OF SERVICE

I, Laura Lynn Hammett, state that the foregoing document was filed electronically on August 3, 2021, thereby being served on Counsel of record who has agreed to electronic service.

/s/ Laura Lynn Hammett

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/s/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK **PLAINTIFF**

V.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

LAURA LYNN HAMMETT'S REPLY TO MICHAEL PIETRCZAK'S RESPONSE TO THE MOTION TO DEEM REQUESTS FOR ADMISSIONS AS ADMITTED

COMES NOW, Separate Defendant named as "Laura Lynn", which the answering defendant believes to be a misnomer for "Laura Lynn Hammett", and Counterclaimant Laura Lynn Hammett, herein referred to as "Lynn" to be consistent with the evidence that was generated before her marriage and name change and for her Reply Regarding the Motion for Requests for Admission to be Deemed Admitted states as follows:

1. Plaintiff filed a "PLAINTIFFS' REPLY TO SEPARATE DEFENDNAT (sic) LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETTS' MOTION TO HAVE FIRST SET OF REQUESTS FOR ADMISSIONS PROPOUNDED TO PLAINTIFF AND COUNTER DEFENDANT MICHAEL PIETRCZAK DEEMED ADMITTED" on July 30, 2021.
2. Plaintiff's document is a response, not a reply, and thus will be called "Response" herein.
3. The first word in the title "PLAINTIFFS'" implies there is more than one plaintiff, but the caption lists only one plaintiff and does not say "et al". Defendant does not adopt the contention that there are multiple plaintiffs in this case.
4. Plaintiff made no arguments. Along those lines, there is no brief. (See brief ¶¶ 15, 16.)
5. Plaintiff wrote "Plaintiff denies the allegations contained within paragraph [1 through 6] of Defendants Motion" and "Plaintiff denies all allegations contained in Defendants Wherefore paragraph" but gave no specific reasoning.
6. Paragraph 1 of the motion alleges the motion was served. I was in the car with my husband (who was driving) and handed him the document in an envelope with proper postage attached and watched him drop it into the post box on Main in

Conway, so we have two people certifying that the Request for Admissions was mailed.

7. Paragraph 2 of the motion is a verbatim cut and paste of ARCP 36(a). It is a matter of which the Court can take judicial notice. Denial of paragraph 2 by Mr. White is a violation of ARCP Rule 11. (See brief ⁋⁋ 17, 18.)

8. As per motion paragraph 3, Lynn has still not received any response to the Request for Admissions.

9. As per motion paragraph 4, Plaintiff has still not filed any responses or objections to Lynn's Request for Admissions.

10. Motion paragraph 5, while not verbatim, states well established law.

11. Motion paragraph 6 is an explanation that the authorities cited are simple and the case law so well established, that the brief and the motion are basically identical. Lynn looks to prior cases argued by licensed attorneys who won their case to get examples of documents and has seen several on Court Connect where the attorneys wrote "brief incorporated herein" or similar language.

12. Plaintiff requests an award of "all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not." There is no legal basis given for any award.

13. Sanctions against Mr. White are appropriate as per ARCP Rule 11, and Defendant prays the Court will give an OSC as to why it should not impose sanctions on its own motion. (See brief ⁋⁋ 17-19.)

14. Because it was untimely and no arguments were raised, the Response should be disregarded.

BRIEF IN SUPPORT

15. "All motions required to be in writing and any responses and replies shall include a brief supporting statement of the factual and legal basis for the motion, response, or reply and the citations relied upon. Any supporting affidavits shall be served with the motion, response, or reply. Failure to satisfy these requirements shall be ground for the court's striking the motion, response, or reply." *Rule 7 - Pleadings and Motions*, Ark. R. Civ. P. 7

16. The response was devoid of argument or brief, therefore the Court should strike it.

17. "Sanctions are mandatory when a violation of Rule 11 occurs. Rules Civ.Proc., Rule 11." *Williams v. Martin, 335 Ark. 163, 980 S.W.2d 248 (1998), opinion supplemented on denial of reh'g, 335 Ark. 163, 984 S.W.2d 449 (1999*)

18. "These rules shall govern the procedure in the circuit courts in all suits or actions of a civil nature with the exceptions stated in Rule 81. They shall be construed and administered to secure the just, speedy and inexpensive determination of every action." Rule 1 - Scope of Rules, Ark. R. Civ. P. 1

19. "If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, shall impose upon any attorney or party who violated this rule an appropriate sanction." ARCP Rule 11 in (c)(1).

20. "The signature of an attorney or party constitutes a certificate by the signatory that to the best of his or her knowledge, information, and belief, formed after an inquiry reasonable under the circumstances: the pleading, motion, or other paper is not interposed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation" (this plaintiff's Response is causing expense and harassment, as well as taking valuable preparation time from Lynn for the hearing of August 4, 2021);

21. "the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law" (the plaintiff's legal contentions and defenses are unwarranted and frivolous). ARCP Rule 11(b)(1 and 2).

WHEREFORE, Defendant respectfully asks this Court to grant the proposed order against Plaintiff and deem Lynn's Request for Admissions as each admitted; and for such other and additional relief as the Court deems just and proper in law or equity.

Respectfully submitted,

August 3, 2021

Laura Lynn, Defendant in pro se

By /s/ Laura Lynn Hammett

500 Amity Road Suite Suite 5B #306
Conway, Arkansas 72032
Phone: (760) 966-6000
Email: Bohemian_Books@yahoo.com

CERTIFICATE OF SERVICE

I, Laura Lynn Hammett, state that the foregoing document was filed electronically on August 3, 2021, thereby being served on Counsel of record who has agreed to electronic service.

I also state that I was in the car with James M. Hammett on June 22, 2021 when he drove to the post office in Conway on Main Street, I handed him a envelope containing the First Set of Request For Admissions Propounded with the correct postage attached, and Mr. Hammett dropped the envelope into the mail. I can and do give a second certification of service on that document.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant in pro se

500 Amity Road Suite 5B #306

Conway, Arkansas 72032

(760) 966-6000

Bohemian_books@yahoo.com

/s/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN (NOW HAMMETT'S) MOTION TO DISMISS WITH PREJUDICE EACH OF PLAINTIFF'S CLAIMS CALLED CAUSES OF ACTION COUNTS I to VI AND XII; BRIEF IN SUPPORT

Comes Separate Defendant Laura Lynn (Herein referred to as "Defendant" or "Lynn"), in pro se, and for her Motion to Dismiss what Plaintiff referred to as "COUNT I: BREACH OF CONTRACT", "COUNT II: SLANDER OF TITLE", "COUNT III: REMOVAL OF CLOUD ON TITLE", "COUNT IV: EJECTMENT /TRESPASS", "COUNT V: FORCIBLE ENTRY AND UNLAWFUL DETAINER", "COUNT VI: DECLARATORY JUDGMENT", "COUNT XII: INJUNCTION", states as follows: (Plaintiff did not include Counts VII thru XI)

1. Plaintiff filed a complaint on April 23, 2021 ("Complaint") that is substantially identical to a complaint filed on January 16, 2018 which was dismissed without prejudice pursuant to ARCP 41, lack of prosecution on May 4, 2020.
2. Even though Plaintiff named two defendants in the Complaint (caption and paragraphs 2 and 3), only one summons was issued (as per the docket) and Plaintiff did not ask the clerk to correct that error.
3. The summons issued for "Laura Lynn" was not served. (as per docket) No waiver of service, aka notice and acknowledgment was served.
4. Laura Lynn Hammett saw the complaint on Court Connect about June 8, 2021 and filed an answer and counterclaim on June 10, 2021. ("Answer")
5. Plaintiff asks the Court to dismiss each claim with prejudice for the myriad of errors listed here and argued in the Brief following:
6. The statute of limitations expired on each Cause before the Complaint was filed;
7. A necessary party, the "Mortgagor", was not named;
8. Rural Revival Living Trust ("the Trust") is not a proper party, and therefore a misjoinder;

9. No Summons was issued or served for the Trust, so even renaming the Trust will not cure the lack of the necessary party;

10. Plaintiff failed to attach a copy of the trust that describes the alleged defendant from which his purported claims arise;

11. Plaintiff failed to allege Laura Lynn is a beneficiary of the Rural Revival Living Trust (she is not a beneficiary, she is the grantor and trustee);

12. The necessary party Mortgagor was not served summons;

13. Plaintiff named exactly two defendants, neither of them DOES. Addition of the Mortgagor as a defendant on this date or subsequently would exclude all causes of action to be outside the statute of limitations, therefore amendment is futile and the dismissal should be with prejudice;

14. Because facially the Exhibit 5 of the Complaint shows that there was only one witness to the mortgage agreement, the Mortgage is of no effect and the Counts based on the mortgage should be dismissed;

15. Facially, the mortgage contract was signed by only one party, Laura Lynn as Trustee of the Rural Revival Living Trust. Pietrczak did not sign the agreement and therefore there was no valid contract;

16. Accepting the averments in the Complaint as true (even though most were not true) and looking at the evidence presented as exhibits to the Complaint, on its face, Defendant Lynn, the only defendant for whom a summons was issued, was not a party to the mortgage;

17. Accepting the averments in the Complaint as true (even though most were not true) and looking at the evidence presented as exhibits to the Complaint, on its face, the Plaintiff failed to state a claim on which relief can be granted (pled in Answer as affirmative defense in paragraph 88);

18. The complaint fails on the theory of laches (pled in Answer as an affirmative defense in paragraph 89).

BRIEF IN SUPPORT

19. The Statute of limitations on Count 1 Breach of Contract is five years. *Ark.Code Ann. § 16–56–111 (Repl. 2005) as cited in Filat v. Rand, 2015 Ark. App. 316, 7, 463 S.W.3d 301, 305 (2015*)

20. Pietrczak does not allege that any payment was made or any obligation performed for even a short time on the Mortgage. The default would have commenced on March 22, 2016. Any action on breach of contract would be barred after March 22, 2021. The Complaint was filed on April 23, 2021, so it is barred.

21. Counts II thru VI and XII are all premised on the cancellation of the agreement signed and filed on February 23, 2015, based on Plaintiff's contention he was defrauded into signing. (Lynn believes Pietrczak is the one whom committed fraud, but for the purposes of this argument, only the time of signing is relevant.) Even if Lynn committed fraud to obtain Pietrczak's signature on the agreement, the statute of limitations on fraud is three years (West's A.C.A. § 16–56–105) and the limitations statute for cancellation of instruments which essentially applies to cancellation of contracts and negotiable instruments is five years. A.C.A. § 16–56–111(a).

22. The last date Pietrczak could file an action based on what he purported to be fraud and the cancellation of the Married in the Eyes of God agreement would be February 23, 2020. The Complaint was filed on April 23, 2021, so those Counts are barred.

23. Plaintiff named "Rural Revival Living Trust" as a defendant. (Answer Caption and ¶2) But Plaintiff failed to have a summons issued directed to "Rural Revival Living Trust". (See docket for lack)

24. "[S]ummons omitting defendant's name from its "directed to" provision was fatally defective". *Union Pac. R.R. Co. v. Skender, 2016 Ark. App. 206, 489 S.W.3d 176 (2016*) "A circuit court acquires no jurisdiction over a defendant unless the plaintiff strictly complies with the service-of-process rules. *Ark. R. Civ. P. 4." Id. hn 2*. "Strict compliance specifically applies to the technical requirements of a summons, and a defendant's personal knowledge of the litigation will not cure a fatal defect in the summons. *Ark. R. Civ. P. 4." Id. hn 3.*

25. "Claimant's failure to list one-half mineral interest owner as a defendant in the caption of claimant's quiet title complaint constituted a fatal misnomer that resulted in the decree that quieted title to claimant being void. *Rules Civ.Proc., Rule 4." Wright v. Viele, 2013 Ark. App. 471, 429 S.W.3d 314 (2013)* "Statutory service requirements are strictly construed and compliance must be exact." Id. hn 3. "Proceedings conducted when the attempted service was invalid render judgments arising under them void." Id. hn 4.

26. "A misnomer is a mistake in naming a party. *Nucor Corp. v. Kilman, 358 Ark. 107, 132, 186 S.W.3d 720, 736 (2004) (quoting Black's Law Dictionary 1015 (7th ed.1999)*). Where the mistake in naming the party is so substantial or material as to indicate a different entity, it is fatal. *See Crenshaw v. Special Adm'r of Estate of Ayers, 2011 Ark. 222, at 4, 2011 WL 1896766; Shotzman v. Berumen, 363 Ark. 215, 225, 213 S.W.3d 13, 17–18 (2005*)." *Wright v. Viele, 2013 Ark. App. 471, 11, 429 S.W.3d 314, 320 (2013*)

27. "[] the general rule is that, in suits respecting trust property brought either by or against the trustees, the *cestuis que trustent*, as well as the trustees, are necessary parties []." *Hunter v. Robbins, 117 F. 920, 922 (C.C.E.D. Ark. 1902*) Plaintiff did not name the "cestuis que trustent", the beneficiaries.

28. "At common law an action must be brought in the name of the party who has the legal right." *Chew v. Brumagen, 80 U.S. 497, 499, 20 L. Ed. 663 (1871)* "Thus, whether the Trust has the capacity to be sued depends on the law of Arkansas. While Arkansas courts have not squarely addressed this issue, relevant Arkansas statutes, persuasive authority from sister states, and other federal courts indicate that trusts are not juridical entities." *Johnathan D. DIAL and Lydia A. Dial, Husband and Wife, Individually, and on Behalf of Similarly Situated Persons, Plaintiffs, v. DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee for Morgan Stanley ABS Capital I INC. Trust 2006-HE3, Individually, and as Representative of Similarly Situated Persons; Morgan Stanley ABS Capital I INC. Trust 2006-HE3, Individually, and as Representative of Similarly Situated Persons; and Thomas J. MORTON and Wannetta Y., 2012 WL 6924629 (E.D.Ark.)* "Trusts are not included in the list of recognized juridical entities under Arkansas law. Thus, the Arkansas Legislature has not manifested an intent to modify the common law as it pertains to trusts." Id. ¶17.

29. Lynn is not arguing that the Court has no jurisdiction over the Trust, because Lynn is not authorized to practice law, and therefore cannot argue on behalf of a trust. (Though an attorney can probably come back later and get a judgment against the Trust overturned for lack of jurisdiction.) Lynn is arguing on behalf of herself that because the Mortgagor and beneficiaries were not issued summons, the Plaintiff left out a necessary parties.

30. "A person who is subject to service of process shall be joined as a party in the action if she claims an interest relating to the subject of the action and is so situated that the disposition of the action in her absence may (i) as a practical matter, impair or impede her ability to protect that interest, or, (ii) leave any of the persons already parties subject to a substantial risk of incurring double, multiple or otherwise inconsistent obligations by reason of her claimed interest." *Rule 19 - Joinder of Persons Needed for Just Adjudication*, Ark. R. Civ. P. 19(a)(2). Pietrczak did not join Laura Lynn as Trustee of the Trust and did not join the beneficiaries.

31. Pietrczak claimed Lynn was trustee of the Trust, Mortgagor to the purported mortgage and that he deeded the property to her as trustee. (See Complaint Exhibits 5 and 6) Lynn as an individual and as trustee have competing or inconsistent rights and obligations.

32. Misjoinder of parties is not fatal to a case. (ARCP 21) But joinder at this late stage would be outside the statute of limitations and prejudice Defendant. (Theory of Laches)

33. "Laches is based on theory that there is unreasonable delay of party seeking relief under such circumstances as to make it inequitable or unjust for the party to now seek relief." *Anadarko Petroleum Co. v. Venable, 312 Ark. 330, 850 S.W.2d 302 (1993)* Pietrczak filed suit first in 2018 and did not respond to any discovery requests. The first complaint was dismissed for lack of prosecution. Therefore, that Pietrczak slept on any rights he might have had becomes law of the case. Pietrczak did not mention the previous suit in the Complaint, and therefore did not meet his burden of proof that this Court should vary from the law of the case.

34. The laches defense requires a detrimental change in the position of the one asserting the doctrine, as well as an unreasonable delay by the one asserting his or her rights against whom laches is invoked. *Royal Oaks Vista, L.L.C. v. Maddox, 372 Ark. 119, 271 S.W.3d 479 (2008)* Plaintiff was able to pay off the $150,000 plus 10% interest if the court ordered her to do so in 2017 through January 2020. She could even have paid treble damages. Unfortunately, COVID-19 knocked Lynn out, physically and financially. A judgment against her now would force her into bankruptcy.

35. ARCP 10(d) states: "A copy of any written instrument or document upon which a claim or defense is based shall be attached as an exhibit to the pleading in which such claim or defense is averred unless good cause is shown for its absence in such pleading." No copy of the "Rural Revival Living Trust" was attached to the complaint. No discovery request was made for a copy of the trust. Plaintiff did not allege the role of Laura Lynn to the trust. There is no allegation or evidence of whom the beneficiaries of the Trust are in the Complaint. Lynn believes the trust document was drafted by an attorney and it was accepted by several banks, insurance companies and the LLC in which Lynn is a shareholder.

36. Further, there was no purchase agreement attached to the Complaint. Mention of a purchase agreement should therefore be stricken from the Complaint if the Complaint is not dismissed in its entirety.

37. Real estate mortgages drafted on behalf of a legal fiction by a non-attorney are null and void. *Campbell v. Asbury Auto., Inc., 2011 Ark. 157, 26, 381 S.W.3d 21, 39 (2011)*

38. In this case, the mortgage was drafted by both Pietrczak and Lynn from a template on LawDepot.com. But taken at face value, the form does not appear to

be written by an attorney licensed in Arkansas. It did not ask for two witnesses. Arkansas requires two witnesses for a valid mortgage instrument. *Arkansas Code (2016) 18-40-101. (*LawDepot.com has updated the mortgage template for Arkansas subsequently*.)*

39. Because the mortgage agreement violates the code in Arkansas on its face, the mortgage agreement is void and all causes of action based on the existence of the mortgage, should be dismissed.

40. The mortgage agreement is also usurious on its face, requiring 10% per year interest when the maximum at the time it was signed was 6%.

41. In reviewing a circuit court's decision on a motion to dismiss under Ark. R. Civ. P. 12(b)(6), this court treats the facts alleged in the complaint as true and views them in the light most favorable to the party who filed the complaint. *Travelers Cas. & Sur. Co. of Am. v. Ark. State Highway Comm'n, 53 Ark. 721, 120 S.W.3d 50 (2003*). In testing the sufficiency of the complaint on a motion to dismiss, all reasonable inferences must be resolved in favor of the complaint, and the pleadings are to be liberally construed. Id. However, Arkansas law requires fact pleading, and a complaint must state facts, not mere conclusions, in order to entitle the pleader to relief. Id.

42. "Generally, to state a cause of action for breach of contract the complaint must assert (1) the existence of a valid and enforceable contract between the plaintiff and defendant, (2) the obligation of defendant thereunder, (3) a violation by the defendant, and (4) damages resulting to plaintiff from the breach. *Ballard Group, Inc. v. BP Lubricants USA, Inc., 2014 Ark. 276, 436 S.W.3d 445." Arkansas Dev. Fin. Auth. v. Wiley, 2020 Ark. 395, 5, 611 S.W.3d 493, 498 (2020*)

43. Plaintiff did not assert a valid and enforceable contract between Pietrczak and Lynn (the only summonsed defendant). First at paragraph 23 Pietrczak acknowledges that the purported mortgage was executed by "Lynn acting Trustee of the Rural Revival Living Trust as 'Mortgagor'". The summons and the caption only name Laura Lynn as an individual.

44. Plaintiff went on to use a non-sensical phrase throughout the Complaint, "Lynn and/or the Rural Revival Living Trust". "And/or" is not a word. "And" means all. "Or" means one or many. It seems like Pietrczak used the confusing language to mean "and", so Laura Lynn the individual would be liable for the trustee's actions.

45. On its face, the mortgage agreement (contract) Exhibit 5 was signed by Lynn as trustee, not Lynn the individual. Lynn did not sign as a guarantor. Clearly Lynn in her individual capacity had no obligation to abide by the mortgage, even if Pietrczak repeated his conclusion over and over again. Count I fails against Laura Lynn as an individual.

46. Should the Court look past the fact that Lynn did not sign the mortgage as an individual, Count II fails irrespectively. Pietrczak bases the Count on another conclusory statement, that he "remains the owner of the Lick Fork Property."

47. On its face, the deed in Exhibit 6 shows that Pietrczak granted the Lick Fork Property to Laura Lynn as Trustee of the Rural Revival Living Trust.

48. Pietrczak makes a weak argument that Lynn obtained his signature by fraud. Ark.R.Civ.P. 9(b) provides:

49. "(b) Fraud, Mistake, Condition of the Mind. In all averments of fraud, mistake, duress, or undue influence, the circumstances constituting fraud, mistake, duress or undue influence shall be stated with particularity."

50. "This court has held that fraud must be specifically alleged and that, '[t]he facts and circumstances constituting the fraud should be set forth. There should be some concealment, misrepresentation (emphasis added), ... by which another is misled, to his detriment; and these ... must be alleged and proved.' (citations omitted). *Beam Bros. Contractors v. Monsanto Co., 259 Ark. 253, 532 S.W.2d 175 (1976)*. We found that a cause of action had been stated in Beam where the complaint alleged a representation and its falsity, which was material to the contract; reliance on the representation; the right to so rely; and resulting damages." *Jim Halsey Co. v. Bonar, 284 Ark. 461, 469–70, 683 S.W.2d 898, 904, opinion supplemented on denial of reh'g, 284 Ark. 461, 688 S.W.2d 275 (1985)* Pietrczak failed to specify how, where, why, when and what was said by Lynn that he relied upon to convince him to sign the agreement to split the house and other property 50/50 or the deed.

51. Pietrczak repeats over and over that Lynn committed the unauthorized practice of law and should be referred to the Arkansas Supreme Court's Committee on the Unauthorized Practice of Law. The statute of limitations for the criminal misdemeanor is two years, long past. Pietrczak was equally involved in the error. And Pietrczak is a convicted felon for using a false identification at the U.S. border.

52. In paragraph 51 Pietrczak concludes that "Lynn and/or Rural Revival Living Trust know that Lynn is not a licensed attorney and as such is prevented from preparing legal documents on behalf of Pietrczak and/or Rural Revival Living Trust."

53. This is not a logical conclusion and is not backed by facts. In fact, because Lynn is not a licensed attorney she did not know that a trustee could not prepare

documents from templates for the trust where the property is held. Many attorneys don't know that rule.

54. Pietrczak makes several conclusions unsupported with fact about Lynn's motives being malicious. In contrast, Lynn supported her counterclaim with documents showing that she loved and cared for Pietrczak. The fact presented by Pietrczak is that he signed the "married in the eyes of God" agreement, even though he did not consider himself married.

55. Even if Lynn practiced law unauthorized, it would not invalidate the deed. The purpose of the unauthorized practice of law rule is to protect the client from incompetent representation. Allowing the opposing party to invalidate proceedings where there was advocacy by a non-attorney protects the opposing party from going through the process, just to have the client jump out after an adverse judgment and say "it was all null and void". Laura Lynn as the Trustee of the Rural Revival Living Trust, the beneficiaries or Lynn as grantor would have no reason to revoke the deed. (There is caselaw in other jurisdictions that address this issue; it may be a case of first impression in Arkansas.)

56. In Count III, Pietrczak again makes conclusory statements that defy logic and the words on the pages of the filed documents.

57. Again, "Lynn and/or Rural Revival Living Trust" would only matter if that non-word means "Lynn" signed the Mortgage Agreement *and* Warranty Deed. On the face, Laura Lynn as an individual, the named and answering defendant, signed neither the Mortgage Agreement nor the Warranty Deed. No facts were given that suggest the lien was "fraudulent" by Lynn.

58. The Count for removal of Cloud on Title should be dismissed as against Laura Lynn, but the legal contention about treble damages and punitive damages should be applied against Pietrczak on the cross complaint.

59. In Count IV, Pietrczak makes more conclusions that are in direct contradiction to the face of the evidence he produced as exhibits. He claimed in paragraph 65 that "all deeds and written evidences of title" upon which the suit relies were set forth. But there is no Trust document produced. The pleading is inadequate and should be dismissed.

60. Pietrczak concludes that he was "incapacitated" when he "executed" the notice presented as Exhibit 3 of the Complaint. But he has no documentation to confirm incapacitation, contemporaneously or otherwise.

61. In paragraph 68 Pietrczak requests that if any damages are found that the Court orders costs and treble damages. But Pietrczak fails to exclude any damage done by himself or his agents. (In fact, the property was vandalized in October 2019, and it is quite possible the damage was done by Pietrczak to increase any award in his lawsuit or just to be malicious.)

62. Count V is bizarre. Pietrczak attached a copy of the deed granting title to Laura Lynn as Trustee of the Rural Revival Living Trust as Exhibit 6 of the Complaint, then claimed "Lynn and/or Rural Revival Living Trust entered upon and/or unlawfully detained Pietrczak's Lick Fork Property without right or claim to title."

63. Pietrczak then admits in paragraph 72 that he or his attorney-in-fact went to the Lick Fork Property without notifying Lynn and attempted to enter the home. (That may have been when the vandalism was done.) Pietrczak used the words that the locks were changed "in an effort to prevent Pietrczak or the attorney-in-fact from gaining access to Pietrczack's Lick Fork Real Property." He did not say that he

was in fact prevented from entering. There was usually an open window and there were unaccounted for muddy boot prints on the floor on one occasion.

64. Count VI is a bald request for declaratory relief with no facts specified.

65. The chapter referred to "is declared to be remedial; its purpose is to settle and to afford relief from uncertainty and insecurity with respect to rights, status and other legal relations". *Ark. Code Ann. § 16-111-112 (West*)

66. Pietrczak did not plead the need for immediacy. In fact, the record shows that Pietrczak has not pursued remedies to his purported damages for over five years, other than to file a couple malicious nuisance lawsuits and then not take part in discovery.

67. Count XII. (Pietrczak gives no reason he skipped Count VII through XI inclusive.) Pietrczak asks for injunctive relief to have the Court "permanently enjoin" Lynn from entering the Lick Fork Property "pursuant to Ark. R. Civ. P. 65. (Complaint ¶¶76, 77)

68. Pietrczak also claims Lynn is somehow harming his ability to qualify for SSI. Nothing in the complaint explains how Lynn's actions diminish Pietrczak's SSI eligibility. Lynn has not paid any money to Pietrczak since the first month of learning of his disability. If the deed of Lick Fork to the trustee was valid, Pietrczak would have no assets that count against eligibility for SSI.

69. ARCP 65(a) states: "The court may issue a preliminary injunction only on notice to the adverse party."

70. No notice was given to Lynn. There is a Notice of Hearing on the docket that shows "Topic: August 4, 2021". There is no indication that Plaintiff is asking for injunctive relief. Plaintiff did not respond to Lynn's motion for continuance of the

August 4, 2021 hearing until July 30, 2021. Even then he did not argue that he was asking for injunctive relief.

71. On page 3 of the Notice of Hearing, attorney White certifies that the "foregoing pleading" was served on "Ms. Laura Lynn" at the Lick Fork Property by "hand delivery via process server" sometime between April 23, 2021 and April 26, 2021.

72. This is an outright lie. Lynn is rarely at the Property. There is neither internet nor phone service at the Lick Fork Property. There is no running water at this time. And Laura Lynn Hammett's husband has work that prevents him from spending time at Lick Fork. There is no proof of service by the "process server" on the docket.

WHEREFORE, a final hearing and trial is set for tomorrow, August 4, 2021, and Separate Defendant Laura Lynn prays the Court will consider this Motion to Dismiss before the merits of the case are presented; and the Court will dismiss all counts of the Plaintiff's Complaint with prejudice; and proceed with Laura Lynn Hammett's motion for default judgment on her counterclaim.

This 4th day of August, 2021.

Respectfully submitted,

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on August 4, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) Motion to Dismiss Plaintiff Micheal Pietrczak's Complaint; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 4, 2021 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN (NOW HAMMETT'S) MOTION IN LIMINE FOR TRIAL OF AUGUST 4, 2021

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Defendant" or "Lynn"), in pro se, and for her Motion in Limine for Trial of August 4, 2021, states as follows:

1. There is a description on the docket of the above captioned case on April 27, 2021 that says "Final Hearing Scheduled", followed by a "Notice of Hearing" and two letters from the Court, all taken together seem like a trial is occurring on August 4, 2021.
2. Plaintiff Micheal Pietrczak has not served any exhibits on Lynn.
3. When Plaintiff inquired by email to Judge Susan K. Weaver's Trial Court Administrator Tammy Weaver, to see if she can get copies of anything submitted to the Court, the Administrator responded, "I don't see that they have submitted to the court."
4. One of the letters filed on April 27, 2021 requires "please be sure to have all exhibits to the court reporter pre-marked and delivered to the Justice building within 24 hours prior to the hearing". Lynn spoke with Tammy Weaver when trying Zoom and was told to have her exhibits submitted by noon on August 2, 2021, which was done. Lynn then sent email copies and filed copies to Tammy Weaver, Court Reporter Jana Perry and Opposing Counsel William Zac White.
5. Lynn did not have time to request production of documents and her motion for a continuance was not granted. Because no summons was served on Lynn and no responses were made to her request for production of documents, Lynn was not certain this case would proceed. It should have never been filed.
6. Therefore, allowing Pietrczak to introduce documentary or electronic evidence at trial would be an ambush.

7. Lynn asks the Court to disallow Pietrczak from presenting, entering or publishing any documentary or electronic evidence during the trial.

BRIEF IN SUPPORT

8. Motions in Limine are accepted procedural devices in Arkansas and have been upheld by the Arkansas Supreme Court. *See Arkansas State Highway Commission v. Pulaski Inv. County, 272 Ark. 389, 614 S.W.2d 675 (1981). In Kitchens v. State, 271 Ark. 1, 607 S.W.2d 345 (1980)*, the Court held that Motions in Limine are to enlighten the Court and advise counsel of a specific nature of the anticipated testimony so that the Court may intelligently act on such motions. Id.

9. In a dissenting opinion, Justice Josephine Linker Hart wrote "Allowing this was erroneous and amounts to trial by ambush. I would reverse for any of these reasons." *Dollar Gen. Corp. v. Elder, 2020 Ark. 208, 18, 600 S.W.3d 597, 608–09 (2020), reh'g denied (July 23, 2020)*

10. It is possible the Plaintiff plans to put on no case at all. If he does surprise Lynn and show up at all, he should be restrained from practicing an ambush.

This 3rd day of August, 2021.

Respectfully submitted,

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on August 3, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) Motion in Limine; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 3, 2021 /S/ Laura Lynn Hammett

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MS. TAMMY WEAVER
TRIAL COURT ADMINISTRATOR
JUDGE SUSAN K. WEAVER
1st DIVISION 20th JUDICIAL DISTRICT
FAULKNER COUNTY JUSTICE BUILDING
510 SOUTH GERMAN LANE
MAILING ADDRESS
801 LOCUST STREET
CONWAY, ARKANSAS 72034

August 4, 2021

By email to tammy.weaver@faulknercounty.org. wzwhite@wzwhite.com and Eflex.

RE: 65CV-21-20 Pietrczak v. Rural Revival Living Trust, et al.

Dear Ms. Weaver or the Court as appropriate,

Both parties appearing demanded a jury trial.

Mr. Pietrczak demanded a jury on the cover of the complaint and at paragraph 79.

Mrs. Hammett demanded a jury on the cover of her answer and counterclaim and at paragraph 79 concurring with Mr. Pietrczak.

At the “final hearing” and “trial” noticed for August 4, 2021, the Court through the Trial Court Administrator did not plan for a jury.

The Court granted Mr. Pietrczak’s verbal motion for a continuance to give him an opportunity to get a summons issued for the Rural Revival Living Trust and to serve the summons, so no jury was needed on this date. Only the Court could not know that prior to the hearing when attorney White asked for the continuance.

Please uphold the litigants’ right to a jury trial pursuant to the Seventh Amendment of the United States Constitution which states:

“In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.”

Some of the relief sought by each appearing party is found in law rather than equity. The amount in controversy exceeds $25,000.

If the case goes to trial, please administer justice in equal and due process by providing a jury.

Respectfully,

/s/Laura Lynn Hammett
500 Amity Road, Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on August 3, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) letter regarding jury demand addressed to Trial Court Administer Tammy Weaver and The Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record, and by email to Tammy.weaver@faulknercounty.org and wzwhite@wzwhite.com.

August 4, 2021

/S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

AFFIDAVIT OF LAURA LYNN HAMMETT RE: MOTION FOR WRITTEN ORDER AND LAURA LYNN HAMMETT'S RENEWED OBJECTION TO CONTINUANCE

I, Laura Lynn Hammett, swear the following is the truth to the best of my knowledge and belief:

1. There was distortion to the sound at the Zoom Hearing of August 4, 2021.
2. My administrative Assistant and I recounted hearing everything in the same way as each other, but there is a possibility the transcript will have many "inaudible" entries.
3. The Court reporter said has two appeals to work on and won't have the transcript until after August 17, 2021.
4. I did not receive electronic service of the three Plaintiff responses filed on July 30, 2021 until August 2, 2021.
5. I called the clerk Mary Beth in Searcy County and she said there were several staff ill and they did not get to post the filings until August 2nd.
6. On August 2, 2021, I asked Trial Court Administrator Tammy Weaver how I should get a Motion to Dismiss to the Court for consideration at the Final Hearing. She said she was not certain but she had seen people file them on the day of the hearing.
7. I swear under penalty of perjury under the laws of the State of Arkansas that the foregoing is true to the best of my knowledge and belief.

August 5, 2021 /s/ Laura Lynn Hammett

Laura Lynn Hammett

CERTIFICATE OF SERVICE

I hereby certify that, on August 5, 2021 I electronically filed Motion for Written Order and Laura Lynn Hammett's Renewed Objection to Continuance, Brief in Support and Affidavit of Laura Lynn Hammett with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 5, 2021 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

MOTION FOR WRITTEN ORDER AND LAURA LYNN HAMMETT'S RENEWED OBJECTION TO CONTINUANCE

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, in pro se, and for her Motion for the Court to Make a Written Statement of Opinion, states as follows:

1. The above captioned case came for "final hearing" and "trial" on August 4, 2021 at 9 AM by Zoom Hearing. (See Docket, Notice and Letters filed April 27, 2021)
2. There was ample distortion in the signal that may cause the record to be inaccurate and no transcript can be prepared before August 17, 2021. (See Affidavit of Laura Lynn Hammett.)
3. The Court continued the Final Hearing and granted Plaintiff permission to serve summons (which will presumably be issued) on the Rural Revival Living Trust but no entry or image of an order was made on the docket.
4. Laura Lynn Hammett objected to the continuance during the hearing and in "Laura Lynn Hammett's Reply to Pietrczak's Response to the Motion for Continuance" filed on August 2, 2021. Pietrczak's Response to the Motion for Continuance was filed on July 30, 2021, untimely, and was not posted and served through electronic notification until August 2, 2021. (See Affidavit of Laura Lynn Hammett.)
5. Laura Lynn Hammett started to cite Zelda S. Walls Living Trust Dated July 25, 2019, Donna Bryant, Successor-Trustee vs. Richard Gawenis, 71CV-20-119 as not authoritative but persuasive. (See Brief ¶ 12-23) But the Court cut the pro se litigant off while she was giving the full citation.
6. Micheal Pietrczak's Counsel William Zac White cited a rule for the proposition that Laura Lynn Hammett filed several untimely motions. When Hammett asked for someone to repeat the rule number because she did not hear it, Mr. White was

adamant that he was not going to repeat the rule number, becoming belligerent and the Court remained silent on the issue.

7. Hammett listed the filings she made in the two days prior: 24 exhibits to be presented as evidence, replies to three responses filed by Plaintiff which were served on Hammett earlier that day, a motion in Limine, a Motion to Dismiss, and proposed jury instructions. (See docket.) None of these was untimely. (See brief ¶¶ 24-34.)

8. Mr. White also claimed Laura Lynn Hammett had "dodged service" of the summons. Mrs. Hammett pointed out, again, that no summons had been issued for Separate Defendant Rural Revival Living Trust, meaning no service was attempted, and gave several examples of where her home address could be found online, including the tax records for the property in dispute.

9. There was also no jury called in for the trial, though both parties demanded jury trial on their pleadings. It was as though the Court knew in advance that Mr. White would ask for a continuance just five days after opposing a continuance.

10. Laura Lynn Hammett respectfully requests the Court to make a written order with a reasoned opinion as to why the hearing was continued as this is an interlocutory opinion that will be appealed.

BRIEF IN SUPPORT

11. "Pursuant to Administrative Order 2(b)(2), an oral order announced from the bench does not become effective until reduced to writing and filed. *McGhee v. Arkansas Bd. of Collection Agencies, 368 Ark. 60, 243 S.W.3d 278 (2006)*. Moreover, Ark. R. Civ. P. 58 (2006) provides that '[a] judgment or order is effective only when so set forth and entered as provided in Administrative Order

No. 2.' This rule eliminates or reduces disputes between litigants over what a trial court's oral decision in open court entailed. McGhee v. Arkansas Bd. of Collection Agencies, supra. If a trial court's ruling from the bench is not reduced to writing and filed of record, it is free to alter its decision upon further consideration of the matter. Id. Simply put, the written order controls." *Nat'l Home Centers, Inc. v. Coleman, 370 Ark. 119, 120–21, 257 S.W.3d 862, 863 (2007*)

12. Zelda S. Walls Living Trust Dated July 25, 2019, Donna Bryant, Successor-Trustee vs. Richard Gawenis, 71CV-20-119 is a case in which William Zac White represented Gawenis and Judge Susan K. Weaver presided at the trial court. ("Gawenis II")
13. Gawenis filed a suit, also through counsel White, In the Matter of Zelda S. Walls an incapacitated adult, 71PR-19-91 in which Zelda S. Walls Living Trust Dated July 25, 2019, Donna Bryant, Successor-Trustee is an intervenor and Judge Susan K. Weaver presided. ("Gawenis I")
14. In Gawenis I, Mr. White had a filer prepared summons issued, but not served on the successor trustee. He then proceeded to have the grantor and trustee of the trust deemed "incapacitated" by the Court and got an order from the Court revoking the Living Trust.
15. In Gawenis II, the successor trustee was able to have the trust reinstated. Mr. White had filed his answer untimely, so the Court struck it and granted default judgment because the answer was insufficient.
16. Gawenis II is on appeal, with Mr. White representing the appellant.
17. The parallels between Gawenis I & II and the case at bar are uncanny.
18. In the present case, summons was not served on either defendant and not prepared or issued for the Rural Revival Living Trust.

19. One attorney and the judge presiding are the same in all the cases.

20. Mr. White did not file an answer timely in Gawenis II and not at all in the case at bar.

21. But thus far, the outcomes seem quite different. The Motion for Default Judgment was fully briefed before the Final Hearing on August 4, 2021 in Pietrczak, but no default was had by Laura Lynn Hammett on her counterclaim.

22. Further, Hammett was fully prepared to go to trial if the default was denied, while the licensed opposing counsel who earned a law degree did not lodge any exhibits with the Trial Court Administrator Tammy Weaver or Court Reporter Jana Perry to be entered into evidence.

23. It is common to see a case stayed while a similar issue is decided on appeal, to avoid conflicting outcomes. But there should not be conflicting outcomes from the same judge on two closely paralleled cases.

24. Exhibits may be filed up to 24 hours before the trial (time noticed) (see letter from the Court, April 27, 2021). Hammett complied with the verbal instruction of the Trial Court Administrator given when they gave a test run to Zoom for Hammett, and turned her exhibits in at 47 hours before trial time.

25. Plaintiff will assume for argument that Pietrczak's counsel cited ARCP rule 6 for the proposition that Hammett's motions were untimely. Rule 6 - Time, Ark. R. Civ. P. 6 ("A written motion, other than one which may be heard ex parte, and notice of the hearing thereof shall be served not later than 20 days before the time specified for the hearing. ")

26. In this case, the hearing was August 4, 2021, so all but exceptional motions to be decided must be filed by July 15th.

27. The Motion for Continuance was filed June 10, 2021, so it was timely.

28. The Motion for Default Judgment was filed July 13, 2021, so it was timely.

29. As to the motions filed after July 15, 2021: Rule 6 - Time, Ark. R. Civ. P. 6 ("The time periods set forth in this subdivision may be modified by order of the court and do not apply when a different period is fixed by these rules, including Rules 56(c) and 59(d).")

30. The Motion for Requests for Admissions to be Deemed Admitted is exceptional. The response to service of the requests is due within 30 days of service. So, they must be served more than 30 days before trial. Hammett, who is not law school educated tries to find and follow customs of educated, licensed attorneys. She found motions to deem the answers as accepted on Westlaw. But sometimes there is only a statement incorporated in a dispositive motion that says the RFAs were deemed admitted. That is probably the better practice. "The matter is admitted unless, within 30 days after service of the request, the party to whom the request is directed serves upon the party requesting the admission a written answer or objection addressed to the matter, signed by the party or by his attorney." Rule 36 - Requests for Admission, Ark. R. Civ. P. 36.

31. No Motion to Deem Admitted was needed. It did put Pietrczak on notice that he had no case.

32. Hammett inquired of the Trial Court Administrator about how to present a motion to dismiss at trial. (See affidavit of Laura Lynn Hammett) The TCA said she was new to the job and wasn't sure, but she had seen some Motions to Dismiss filed at the beginning of the hearing.

33. Hammett once had a filing she handed to a judicial officer in California thrown in the trash in front of her during the hearing, literally. The judicial officer was found by the Commission on Judicial Performance to appear to have a bias and

embroilment in Hammett's case and is no longer serving on the bench. Hammett still prefers to file documents with the clerk before a hearing. The MTD was filed the afternoon before the hearing.

34. Regardless, if every motion filed was thrown in the trash, figuratively, that would be no excuse to continue the trial. In fact, the dispositive motions should have been ruled on, and then only if all denied, the trial should go on.

35. If the verbal order for continuance is left to stand, Hammett will not have a good record for appeal. Further, Pietrczak may try to amend his complaint to conform to the evidence and MTD Hammett intended to present at trial.

36. Defendant and Counterclaimant Hammett prays the Court will reconsider the continuance and reschedule the final hearing after ruling on the existing motions that have been fully briefed. Also, please clarify that Plaintiff may not amend the complaint.

This 5th day of August, 2021.

Respectfully submitted,

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on August 5, 2021 I electronically filed Motion for Written Order and Laura Lynn Hammett's Renewed Objection to Continuance; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 5, 2021 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit to Motion to Read Jury Instructions-

PROPOSED JURY INSTRUCTION

Bohemian_books@yahoo.com

AMI 2402 Issues—Contract Formation

To establish a contract, Hammett has the burden of proving each of three essential propositions:

First, that Hammett made an offer to enter into a contract that was accepted by Pietrczak;

Second, that there was an exchange of consideration; and

Third, that at the time the contract was made, its essential terms were reasonably certain and agreed to by both Hammett and Pietrczak.

AMI 2427 Breach

The parties dispute whether Pietrczak did what the contract required of him. A party's failure to do what the contract required of him is a "breach" of the contract.

A "material breach" is a failure to perform an essential term or condition that substantially defeats the purpose of the contract for the other party. A material breach excuses the performance of the other party (and allows that party to sue for damages on the whole contract). A breach that is not material does not excuse the performance of the other party (but does allow the party to seek damages for the partial breach).

A breach occurs when a party repudiates the contract before performance is due. Repudiation may consist of a statement reasonably interpreted to mean that the party will not or cannot perform the contract. It may also consist of a voluntary affirmative act that renders the party unable to perform.

If Pietrczak's breach is material and sufficiently serious, Hammett's obligation to perform may be discharged.

Where there is a material breach of contract, substantial nonperformance and entire or substantial failure of consideration, the injured party is entitled to rescission of the contract and restitution and recovery back of money paid.

The failure of one party to perform can excuse the other from his obligation and when a party to a contract has, either by words or conduct, definitely manifested an intention not to perform, the other party may treat the contract as ended.

AMI 402 Issues—Claim for Damages Based Upon Deceit—Burden of Proof

Hammett claims damages from Pietrczak for deceit and has the burden of proving each of the following five essential propositions:

First, that she has sustained damages;

Second, that a false representation of a material fact was made by Pietrczak;

Third, that Pietrczak either knew or believed that the representation was false, or he knew or believed that he did not have a sufficient basis of information to make the representation.

Fourth, that Pietrczak intended to induce Hammett to act or to refrain from acting in reliance upon the misrepresentation; and

Fifth, that Hammett justifiably relied upon the representation in acting or refraining from acting and as a result sustained damages.

A fact or statement of fact is material if it was a substantial factor in influencing Hammett's decision. It is not necessary, however, that it be the paramount or decisive factor, but only one that a reasonable person would attach importance to in making a decision.

If you find from the evidence in this case that each of these propositions has been proved, then your verdict should be for Hammett against Pietrczak who made the false representation; but if, on the other hand, you find from the evidence that any

of these propositions has not been proved, then your verdict should be for Pietrczak.

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65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN (NOW HAMMETT'S) MOTION FOR THE COURT TO READ JURY INSTRUCTIONS INCLUDING SPECIALS

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Defendant" or "Lynn"), in pro se, and for her Motion for the Court to Read Jury Instructions Including Specials, states as follows:

1. Special Jury Instructions Attached are based on Arkansas Model Jury Instructions – Civil, with the addition of out-takes from the comments of the Arkansas Supreme Court Committee on Jury Instructions.
2. The authorities cited by the Committee are briefed below.

BRIEF IN SUPPORT

3. "'If the plaintiff's breach is material and sufficiently serious, the defendant's obligation to perform may be discharged.['] *Restatement of Contracts, § 397 (1932)." Ark. Model Jury Instr., Civil AMI 2427*
4. "'Where there is a material breach of contract, substantial nonperformance and entire or substantial failure of consideration, the injured party is entitled to rescission of the contract and restitution and recovery back of money paid.' *Economy Swimming Pool Co. v. Freeling, 236 Ark. 888, 370 S.W.2d 438 (1963)." Ark. Model Jury Instr., Civil AMI 2427*
5. "In *Cox v. McLaughlin, 315 Ark. 338, 867 S.W.2d 460 (1993)*, the court cited *Stocker v. Hall, 269 Ark. 468, 602 S.W.2d 662 (1980)* for the propositions that 'the failure of one party to perform can excuse the other from his obligation' and that 'when a party to a contract has, either by words or conduct, definitely manifested an intention not to perform, the other party may treat the contract as ended.'; See *also Jim Orr & Assoc., Inc. v. Waters, 299 Ark. 526, 530–531, 773 S.W.2d 99, 102*

(1989) (applying the doctrine of anticipatory breach)" *Ark. Model Jury Instr., Civil AMI 2427*

This 4th day of August, 2021.

Respectfully submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on August 5, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) Separate Defendant Laura Lynn (Now Hammett's) Motion for the Court to Read Jury Instructions Including Specials; Brief in Support and exhibit with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 5, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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Searcy County Circuit Court
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65CV-21-20
C20D01 : 4 Pages

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

MOTION FOR EXTENSION OF TIME TO PERFECT SERVICE AND BRIEF IN SUPPORT THEREOF

Comes now the Plaintiff, Michael Pietrczak, via attorney, William Z. White, who in support of this Motion for Extension of Time to Perfect Service and Brief in Support Thereof, states and alleges as follows:

1. On August 4, 2021, the Plaintiff, Michael Pietrczak, came before the Court via Zoom accompanied by William Z. White. Laura Lynn was present before the Court via Zoom representing herself pro se.

2. Laura Lynn initially requested a continuance of the hearing to be held on August 4, 2021.

3. Laura Lynn filed several pleadings and discovery requests in the days leading up to the hearing date.

4. Michael Pietrczak's Motion for Extension of Time to Perfect Service is brought forth pursuant to Ark. R. Civ. P. 4. (i)(2) states:

> The court, on written motion and a showing of good cause, may extend the time for service if the motion is made within 120 days of the filing of the suit or within the time period established by a previous extension. To be effective, an order granting an extension must be entered within 30 days after the motion to extend is filed, by the end of the 120-day period, or by the end of the period established by the previous extension, whichever date is later.

5. Michael Pietrczak filed his complaint on April 23, 2021. As of August 4, 2021, Michael Pietrczak had seventeen (17) days remaining pursuant to Ark. R. Civ. P. 4 to serve Laura Lynn and the Rural Revival Living Trust pursuant to Ark. R. Civ. P. 4.

6. Michael Pietrczak made an oral Motion for Extension of Time to Perfect Service during the August 4, 2021, hearing, which was granted by the Court.

7. This Motion to Extend Time to Perfect Service has been made within one hundred and twenty (120) days of the filing of his complaint.

8. Michael Pietrczak has been unable to locate Laura Lynn and/or the Rural Revival Living Trust because of their continued attempts to evade service.

9. Michael Pietrczak needs additional time to attempt to locate and serve Defendants, Laura Lynn and/or the Rural Revival Living Trust.

10. Plaintiff, Michael Pietrczak, requests this Court enter its written order confirming its oral ruling from the Bench that he be granted an additional one hundred and twenty (120) days for good cause shown to serve the Laura Lynn and the Rural Revival Living Trust.

Wherefore, Plaintiff requests that this Court extends the time in which is required to serve the Defendants and for all other relief in which he is entitled.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak.

By: _____

William "Zac" White - Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Wednesday, August 18, 21

William Z White

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2021-Aug-19 08:04:24
65CV-21-20
C20D01 : 4 Pages

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

ORDER TO EXTEND TIME TO PERFECT SERVICE

On the date set forth below, the Plaintiffs' Motion to Extend Time to Perfect Service came before the Court. Based upon the pleadings filed of record, statements of counsel (if any), and all other matters before it the Court finds as follows:

1. On August 4, 2021, the Plaintiff, Michael Pietrczak, came before the Court via Zoom accompanied by William Z. White. Laura Lynn was present before the Court via Zoom representing herself pro se.

2. Laura Lynn initially requested a continuance of the hearing to be held on August 4, 2021.

3. Laura Lynn filed several pleadings and discovery requests in the days leading up to the hearing date.

4. Michael Pietrczak is still within his response period to several of Laura Lynn's recently filed pleadings and discovery requests pursuant to the Ark. R. Civil Procedure.

5. Michael Pietrczak filed his complaint on April 23, 2021. As of August 4, 2021, Michael Pietrczak had seventeen (17) days remaining pursuant to Ark. R. Civ. P. 4 to serve Laura Lynn and the Rural Revival Living Trust pursuant to Ark. R. Civ. P. 4.

6. Michael Pietrczak made an oral Motion for Extension of Time to Perfect Service during the August 4, 2021, hearing, which was granted by this Court.

7. Michael Pietrczak's written and oral Motions to Extend Time to Perfect Service were made within one hundred and twenty (120) days of the filing of his complaint.

8. Michael Pietrczak has been unable to locate Laura Lynn and/or the Rural Revival Living Trust.

9. Michael Pietrczak needs additional time to attempt to locate and serve Defendants, Laura Lynn and/or the Rural Revival Living Trust.

10. This Court hereby confirms its oral ruling from the Bench.

11. Pursuant to Ark. R. Civ. P. 4. (i)(2), Michael Pietrczak is granted an additional one hundred and twenty (120) days from August 4, 2021, the date this Court entered its oral order, for good cause shown to serve the Laura Lynn and the Rural Revival Living Trust.

IT IS SO ORDERED

HONORABLE JUDGE SUSAN WEAVER
VAN BUREN COUNTY CIRCUIT JUDGE

DATE

Prepared and Approved by:

/s/ William Z. White
William "Zac" White - Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com

Arkansas Judiciary

Case Title: MICHAEL PEITRCZAK V RURAL LIVING TRUST ETAL.

Case Number: 65CV-21-20

Type: ORDER EXTENSION OF TIME

So Ordered



JUDGE SUSAN K. WEAVER

Electronically signed by SKWEAVER on 2021-08-19 08:04:33 page 4 of 4

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65CV-21-20
C20D01 : 4 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S OBJECTION TO ORDER TO EXTEND TIME TO PERFECT SERVICE

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Hammett"), in pro se, and for her Objection to the Order to Extend Time to Perfect Service States:

1. The Court entered an "ORDER TO EXTEND TIME TO PERFECT SERVICE" on August 19, 2021 at 8:04 AM, ("the Order").
2. The Order opens with the statement:
"On the date set forth below, the Plaintiffs' Motion to Extend Time to Perfect Service came before the Court. Based upon the pleadings filed of record, statements of counsel (if any), and all other matters before it the Court finds as follows:"
3. The PLAINTIFF MICHAEL PIETRCZAK'S MOTION FOR EXTENSION OF TIME TO PERFECT SERVICE AND BRIEF IN SUPPORT filed August 18, 2021 at 1:38 PM was not styled as an "Ex Parte" motion. It did not mention any exigent circumstances.
4. Any exigent circumstance is the fault of the Plaintiff's counsel, who was told by the Court to file his motion during the August 4, 2021 hearing.
5. The Rule cited in the Motion paragraph 4, Ark. R. Civ. P. 4. (i)(2) allows for the motion to be treated as a non-exigent motion.
6. ARCP Rule 6(c) provides "Any party opposing a motion shall serve a response within 10 days after service of the motion. The movant shall then have 5 days after service of the response within which to serve a reply. The time periods set forth in this subdivision may be modified by order of the court and do not apply when a different period is fixed by these rules, including Rules 56(c) and 59(d)."

7. ARCP Rule 6(a) provides "When the period of time prescribed or allowed is less than fourteen (14) days, intermediate Saturdays, Sundays, or legal holidays shall be excluded in the computation."

8. Therefore, Hammett's response was not due until September 1, 2021. The Plaintiff's reply is not due until September 9, 2021. The Court will still have until September 17, 2021 to make its order. Since the Court made an order on the motion in less than 24 hours, eight days should be plenty of time.

9. Hammett is waiting for the transcript of the August 4th hearing before submitting her response to the motion. It was ordered on August 4, 2021. If the transcript is not ready by August 25, 2021, Hammett will submit her response to the motion based on recollection and notes taken by her administrative assistant during the hearing and notes made immediately following the hearing.

10. If the Court does not sustain this objection and set aside the order, giving Hammett an opportunity to respond, Hammett will file a motion for reconsideration instead of the opposition.

11. Hammett also intends to file a motion for disqualification or recusal of Judge Weaver from this and all cases in which Hammett is a litigant, after receipt of the transcript. Judge Weaver's deprivation of Hammett's Constitutional right to due process is an obvious ethics violation and may rise to being an honest services fraud. It would be appropriate for Judge Weaver to recuse herself immediately.

Respectfully submitted,

August 19, 2021 /S/ Laura Lynn Hammett
Laura Lynn Hammett

500 Amity Road Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on August 19, 2021 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Objection to Order to Extend Time to Perfect Service with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 19, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Road Suite 5B #306
Conway, AR 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION TO DISMISS WITH PREJUDICE

Comes now the Plaintiff, Michael Pietrczak, via the attorney, William Z. White, who in support of this Plaintiff's Response to Lynn Hammett's Motion to Dismiss with Prejudice and allege as follows:

1. Plaintiff admits the allegations contained within paragraphs 1, 2, and 3 of Defendant's Motion.

2. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 4 of Defendant's Motion, therefore, denies same.

3. Plaintiff denies the allegations contained within paragraphs 5,6,7, and 8 of Defendant's Motion.

4. Plaintiff admits no summons was issued or served for the Trust, but denies the remaining allegations contained within paragraph 9 of Defendant's Motion.

5. Plaintiff denies the allegations contained within paragraph 10 of Defendant's Motion. Pleading affirmatively, upon information and belief, Defendants are the only party to this action with a copy of the Trust.

6. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 11 of Defendant's Motion, therefore, denies same.

7. Plaintiff denies the allegations contained within paragraphs 12, 13, and 14 of Defendant's Motion.

8. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 15 of Defendant's Motion, therefore, denies same.

9. Plaintiff denies the allegations contained within paragraphs 16, 17, and 18 of Defendant's Motion.

10. Paragraph 19 of Defendant's Motion are not allegations of fact which require a response; therefore, Plaintiff denies.

11. Plaintiff denies the allegations contained within paragraphs 20, 21, and 22 of Defendant's Motion.

12. Plaintiff denies the allegations contained within paragraph 23 of Defendant's Motion. Pleading affirmatively, upon information and belief, Defendant has refused to accept service on behalf of the Trust.

13. Plaintiff denies the allegations contained within paragraphs 24 and 25 of Defendant's Motion.

14. Paragraph 26 of Defendant's Motion are not allegations of fact which require a response; therefore, Plaintiff denies.

15. Plaintiff denies the allegation contained within paragraph 27 of Defendant's Motion.

16. Paragraph 28 of Defendant's Motion are not allegations of fact which require a response; therefore, Plaintiff denies.

17. Plaintiff denies the allegations contained within paragraph 29 of Defendant's Motion.

18. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 30 of Defendant's Motion, therefore, denies same.

19. Plaintiff denies the allegations contained within paragraphs 32 and 33 of Defendant's Motion.

20. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraphs 34 and 35 of Defendant's Motion, therefore, denies same.

21. Plaintiff denies the allegations contained within paragraphs 36, 37, 38, 39, and 40 of Defendant's Motion.

22. Paragraphs 41and 42 of Defendant's Motion are not allegations of fact which require a response; therefore, Plaintiff denies.

23. Plaintiff denies the allegations contained within paragraphs 43, 44, 45, 46, 47 and 48 of Defendant's Motion.

24. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 49 of Defendant's Motion, therefore, denies same.

25. Plaintiff denies the allegations contained within paragraphs 50 and 51of Defendant's Motion.

26. Plaintiff admits the allegations contained within paragraphs 52 of Defendant's Motion.

27. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 53 of Defendant's Motion, therefore, denies same.

28. Plaintiff denies the allegations contained within paragraphs 54, 55, 56, 5, 58, and 59 of Defendant's Motion.

29. Plaintiff admits the allegations contained within the first sentence of paragraph 60, but denies the remaining allegations contained within paragraph 60 of Defendant's Motion.

30. Plaintiff denies the allegations contained within paragraphs 61 and 62 of Defendant's Motion.

31. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 63 of Defendant's Motion, therefore, denies same.

32. Plaintiff denies the allegations contained within paragraphs 64, 65, and 66 of Defendant's Motion.

33. Plaintiff admits the allegations contained within paragraph 67 of Defendant's Motion.

34. Plaintiff admits the allegations contained within the first sentence of paragraph 68, but denies the remaining allegations contained within paragraph 68 of Defendant's Motion.

35. Paragraph 69 of Defendant's Motion are not allegations of fact which require a response; therefore, Plaintiff denies.

36. Plaintiff denies the allegations contained within paragraphs 70 and 71 of Defendant's Motion. Pleading affirmatively, Plaintiff attempted to serve notice upon Defendant. Upon information and belief, Defendant has evaded service upon herself.

37. Plaintiff denies the allegations contained within paragraph 72 of Defendant's Motion.

38. Plaintiff denies all allegations contained in Defendant's Wherefore paragraph.

39. Upon information and belief, Plaintiff affirmatively pleads that Defendant's Motion is a violation of Ark. R. App. P. Civ. Rule 11 and should be subject to sanctions pursuant to Ark. R. App. P. Civ. Rule 11(c).

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Motion to Dismiss with Prejudice; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiffs, Michael Pietrczak.

By: *_/s/ William Zac White*

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Thursday, August 19, 21

/s/ William Zac White
William Z. White

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION IN LIMINE

Comes now the Plaintiff, Michael Pietrczak, via the attorney, William Z. White, who in support of this Plaintiff's Response to Lynn Hammett's Motion and allege as follows:

1. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 1 of Defendant's Motion, therefore, denies same.

2. Plaintiff denies the allegations contained within paragraph 2. Pleading affirmatively, Defendant has filed an answer to Plaintiff's Complaint which has exhibits attached thereto.

3. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 3 of Defendant's Motion, therefore, denies same.

4. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 4 of Defendant's Motion, therefore, denies same.

5. Plaintiff denies the allegations contained within paragraph 5, 6, and 7.

6. Plaintiff denies all allegations contained in Defendant's Wherefore paragraph.

7. Upon information and belief, Plaintiff affirmatively pleads that Defendant's Motion is a violation of Ark. R. App. P. Civ. Rule 11 and should be subject to sanctions pursuant to Ark. R. App. P. Civ. Rule 11(c).

8. Plaintiff affirmatively pleads that Defendant's Motion is now inconsequential as the hearing scheduled on August 4, 2021, was heard and continued.

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Motion In Limine; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiffs, Michael Pietrczak.

By: *_/s/ William Zac White*

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Thursday, August 19, 21

/s/ William Zac White
William Z. White

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65CV-21-20
C20D01 : 22 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

v. **Case No. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN HAMMETT **DEFENDANTS**

RESPONSES TO DEFENDANT'S REQUESTS FOR ADMISSIONS PROPOUNDED TO PLAINTIFF MICHAEL PIETRCZAK

COMES NOW individual Plaintiff Michael Pietrczak, via attorney, William "Zac" White, who provides the following responses to the Responses to Requests For Admission of Fact Propounded to individual Plaintiff Michael Pietrczak:

REQUEST FOR ADMISSION OF FACT NO. 1: Admit that Pietrczak was not a resident of Searcy County, Arkansas at all during this lawsuit.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 1: Admit.

REQUEST FOR ADMISSION OF FACT NO. 2: Admit that Pietrczak resided at Searcy County, Arkansas from January 1, 2015, until no later than May 28, 2016.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 2: Deny. I am not sure of the exact dates.

REQUEST FOR ADMISSION OF FACT NO. 3: Admit that Lynn was not a resident of Searcy County, Arkansas at all relevant times of the events that gave rise to this lawsuit.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 3: Deny. I did not kow where she lived until the day of our last Court hearing.

REQUEST FOR ADMISSION OF FACT NO 4: Admit that Mr. Walter Pietrczak was the duly authorized agent of Pietrczak on April 23, 2021, at 11:43:48.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 4: Objection. The proceeding request for admission of fact is improper in that it requests an admission regarding purely a matter of law. See In re Dailey, 30 Ark. App. 8, 784 S.W.2d 782 (1989). pursuant to Ark. R. Civ. P. 36. Further, the proceeding request for admission of fact is improper in that it calls for a bare conclusion of law and does not concern the application of law to fact. See Hatchell v. Wren, 363 Ark. 107, 211 S.w.3d 516 (2005). Further, objection is raised to the extent that the proceeding request for admission of fact is designed to produce information protected by the attorney/client privilege and the attorney work product doctrine. Notwithstanding these objections, to the extent that an admission or denial is required the Plaintiff denies the proceeding request for admission of fact.

REQUEST FOR ADMISSION OF FACT NO 5: Admit that you alleged all the facts alleged in the Complaint.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 5: Objection. The proceeding request for admission of fact is improper in that it requests an admission regarding purely a matter of law. See In re Dailey, 30 Ark. App. 8, 784 S.W.2d 782 (1989). pursuant to Ark. R. Civ. P. 36. Further, the proceeding request for admission of fact is improper in that it calls for a bare conclusion of law and does not concern the application of law to fact. See Hatchell v. Wren, 363 Ark. 107, 211 S.w.3d 516 (2005). Further, objection is raised to the extent that the proceeding request for admission of fact is designed to produce information protected by the attorney/client privilege and the attorney work product doctrine. Notwithstanding these objections, to the extent that an admission or denial is required the Plaintiff denies the proceeding request for admission of fact.

REQUEST FOR ADMISSION OF FACT NO. 6: Admit that Mr. Walter Pietrczak was the

duly authorized agent of Pietrczak on January 16, 2018b at 14:23:03.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 6: Objection. The proceeding request for admission of fact is improper in that it requests an admission regarding purely a matter of law. See In re Dailey, 30 Ark. App. 8, 784 S.W.2d 782 (1989). pursuant to Ark. R. Civ. P. 36. Further, the proceeding request for admission of fact is improper in that it calls for a bare conclusion of law and does not concern the application of law to fact. See Hatchell v. Wren, 363 Ark. 107, 211 S.w.3d 516 (2005). Further, objection is raised to the extent that the proceeding request for admission of fact is designed to produce information protected by the attorney/client privilege and the attorney work product doctrine. Notwithstanding these objections, to the extent that an admission or denial is required the Plaintiff denies the proceeding request for admission of fact.

REQUEST FOR ADMISSION OF FACT NO. 7: Admit that the Complaint was filed by you maliciously.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 7: Deny.

REQUEST FOR ADMISSION OF FACT NO. 8: Admit that the Complaint filed on January 16, 2018 at 14;23;03, case number 65CV-18-8 was filed by you maliciously.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 8: Deny.

REQUEST FOR ADMISSION OF FACT NO. 9: Admit that Pietrczak does not own the Lick Fork property.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 9: Deny.

REQUEST FOR ADMISSION OF FACT NO. 10: Admit that Michael Pietrczak and Daphne Fuqua, husband and wife, granted Lick Fork Property to Pietrczak by warranty deed filed in Searcy County, Arkansas Book Deed 197, Page 65-68.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 10: Deny. I was never married to Daphne Fuqua.

REQUEST FOR ADMISSION OF FACT NO. 11: Admit that there was a real estate transfer tax of $478.50 paid as documented by the documentary symbol in the legally correct amount placed on the instrument filed in Searcy County, Arkansas Book Deed 197, Page 65-68 on page 68.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 11: Admit.

REQUEST FOR ADMISSION OF FACT NO. 12: Admit that $478.50 was the legally correct amount of transfer tax on property purchase price of $145,000.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 12: Deny.

REQUEST FOR ADMISSION OF FACT NO. 13: Admit that Pietrczak granted the Lick Fork Property to Laura Lynn as trustee of Rural Revival Living Trust, dated March 22, 2016, by Warranty Deed filed in Searcy County, Arkansas Book deed 200, Page 606-609.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 13: Deny.

REQUEST FOR ADMISSION OF FACT NO. 14: Admit that there was no real estate transfer tax paid on the transfer of the Lick Fork Property from Pietrczak to Laura Lynn as trustee of Rural Revival Living Trust, dated March 22, 2016 because Pietrczak represented to the County and Circuit Clerk that the transfer was an interfamily gift transfer.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 14: Deny.

REQUEST FOR ADMISSION OF FACT NO. 15: Admit that the document attached to the Complaint as Exhibit 3 – Notice, incorporated herein by reference as if set out fully verbatim, was signed by Pietrczak.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 15: Deny.

REQUEST FOR ADMISSION OF FACT NO. 16: Admit that there is no contemporaneous written documentation that Pietrczak was incapacitated when he executed the Notice attached to the Complaint as Exhibit 3- Notice, incorporated herein by reference as if set out fully verbatim.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 16: Deny.

REQUEST FOR ADMISSION OF FACT NO. 17: Admit that there is no written buy/sell agreement between Pietrczak and Laura Lynn for the Lick Fork Property.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 17: Deny. Laura drafted a contract.

REQUEST FOR ADMISSION OF FACT NO. 18: Admit that there is no written buy/sell agreement between Pietrczak and Laura Lynn as trustee of the Rural Revival Living Trust.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 18: Deny.

REQUEST FOR ADMISSION OF FACT NO. 19: Admit that all contracts for the sale of real property must be in writing pursuant to the Statue of Frauds.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 19: Objection. The proceeding request for admission of fact is improper in that it requests an admission regarding purely a matter of law. See In re Dailey, 30 Ark. App. 8, 784 S.W.2d 782 (1989). pursuant to Ark. R. Civ. P. 36. Further, the proceeding request for admission of fact is improper in that it calls for a bare conclusion of law and does not concern the application of law to fact. See Hatchell v. Wren, 363 Ark. 107, 211 S.w.3d 516 (2005). Further, objection is raised to the extent that the proceeding request for admission of fact is designed to produce information protected by the attorney/client privilege and the attorney work product doctrine. Notwithstanding these objections, to the extent that an admission or denial is required the Plaintiff denies the proceeding request for admission of fact.

REQUEST FOR ADMISSION OF FACT NO. 20: Admit that Arkansas Code (2016) 18-40-101 states; "All mortgages of real estate shall be proven or acknowledged in the same manner that deeds for the conveyance of real estate are required by law to be proven or acknowledged. When so proven or acknowledged they shall be recorded in the counties in which the land lie."

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 20: Deny.

REQUEST FOR ADMISSION OF FACT NO. 21: Admit that Arkansas Code (2016) 18-12-104 states: "Deeds and instruments of writing for the conveyance of real estate shall be executed in the presence of two (2) disinterested witnesses or, in default thereof, shall acknowledged by the grantor in the presence of two (2) such witnesses, who shall then subscribe the deed or instrument in writing for the conveyance of the real estate. When the witnesses do not subscribe the deed or instrument of writing as described in this section at the time of execution thereof, the date if their subscribing it shall be stated with their signatures.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 21: Deny.

REQUEST FOR ADMISSION OF FACT NO. 22: Admit that the Warranty Deed transferring the Lick Fork Property from Pietrczak to Laura Lynn as trustee of Rural Revival Living Trust, dated March 22, 2016, filed in Searcy County, Arkansas Book Deed 200, Page 606-609 was executed in the presence of two witnesses who signed their names as witnesses before the document was filed.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 22: Deny.

REQUEST FOR ADMISSION OF FACT NO. 23: Admit that Exhibit 5- Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim, is alleged by you to guaranty the repayment of One hundred Thousand Dollars and 00/100

($150,000.00) from the Rural Revival Living Trust to Pietrczak.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 23: Deny.

REQUEST FOR ADMISSION OF FACT NO. 24: Admit that Exhibit 5- Mortgage Agreement attached to the Complaint, incorporated herein by reference as if set forth verbatim, is authentically the Mortgage Agreement filed of record with the Searcy County Clerk on March 23, 2016 at 11:30 a.m. within Book: MORT 203; and PG: 427-436.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 24: Deny.

REQUEST FOR ADMISSION OF FACT NO. 25: Admit that the document attached to the Complaint as Exhibit 5 – Notice, incorporated herein by reference as if set out forth verbatim has only one witness, Notary Public Nancy L. Weaver.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 25: Deny.

REQUEST FOR ADMISSION OF FACT NO. 26: Admit that the document attached to the Complaint as Exhibit 5 – Notice, incorporated herein by reference as if set forth verbatim, has a notary statement that says: "On this day of March 2016, before me, Laura Lynn, the undersigned officer, personally appeared Rural Revival Living Trust, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposed therein contained."

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 26: Deny.

REQUEST FOR ADMISSION OF FACT NO. 27: Admit that Laura Lynn was not the officer undersigned on the Exhibit 5- Mortgage Agreement attached to the Complaint, incorporated herein by referenced as if set forth verbatim.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 27: Deny.

REQUEST FOR ADMISSION OF FACT NO. 28: Admit that Searcy County, Arkansas,

County and Circuit Clerk violated Arkansas Code (2016) 18-40-101 when she filed a purported Mortgage Agreement that was not witnessed by two witnesses.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 28: Objection. The proceeding request for admission of fact is improper in that it requests an admission regarding purely a matter of law. See In re Dailey, 30 Ark. App. 8, 784 S.W.2d 782 (1989). pursuant to Ark. R. Civ. P. 36. Further, the proceeding request for admission of fact is improper in that it calls for a bare conclusion of law and does not concern the application of law to fact. See Hatchell v. Wren, 363 Ark. 107, 211 S.w.3d 516 (2005). Further, objection is raised to the extent that the proceeding request for admission of fact is designed to produce information protected by the attorney/client privilege and the attorney work product doctrine. Notwithstanding these objections, to the extent that an admission or denial is required the Plaintiff denies the proceeding request for admission of fact.

REQUEST FOR ADMISSION OF FACT NO. 29: Admit that the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as If set forth verbatim was filed in error for lack of a second witness.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 29: Deny.

REQUEST FOR ADMISSION OF FACT NO. 30: Admit that the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as If set forth verbatim was filed in error for naming the undersigned notary "Laura Lynn."

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 30: Deny.

REQUEST FOR ADMISSION OF FACT NO. 31: Admit that the Mortgage Agreement filed in error should be set aside.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 31: Deny.

REQUEST FOR ADMISSION OF FACT NO. 32: Admit that it's a general rule, the requisites of a valid deed are that there be competent, identifiable parties and subject matter; a valid consideration; effective words expressing the fact or transfer or grant; and formal execution and delivery.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 32: Objection. The proceeding request for admission of fact is improper in that it requests an admission regarding purely a matter of law. See In re Dailey, 30 Ark. App. 8, 784 S.W.2d 782 (1989). pursuant to Ark. R. Civ. P. 36. Further, the proceeding request for admission of fact is improper in that it calls for a bare conclusion of law and does not concern the application of law to fact. See Hatchell v. Wren, 363 Ark. 107, 211 S.w.3d 516 (2005). Further, objection is raised to the extent that the proceeding request for admission of fact is designed to produce information protected by the attorney/client privilege and the attorney work product doctrine. Notwithstanding these objections, to the extent that an admission or denial is required the Plaintiff denies the proceeding request for admission of fact.

REQUEST FOR ADMISSION OF FACT NO. 33: Admit that Exhibit 7- 2016 Searcy County, Arkansas Tax Statement attached to the Complaint, incorporated herein as fully set forth, is an authentic business record of the 2016 Tax Statement that includes the real estate tax obligation on the Lick Fork Property.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 33: Deny.

REQUEST FOR ADMISSION OF FACT NO. 34: Admit that Exhibit 7- 2016 Searcy County Arkansas Tax Statement attached to the Complaint, incorporated by reference herein as if fully set forth, was mailed by Joey Pruitt, Sherriff and Collector to Pietrczak and Lynn Laura, 903 Lincoln St., Malvern, AR 72104 after March 9, 2017.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 34: Deny.

REQUEST FOR ADMISSION OF FACT NO. 35: Admit that you received mail at 903 Lincoln Street, Malvern, AR 72104 at the time the 2016 Searcy County Arkansas Tax Statement attached to the Complaint as Exhibit 7, incorporated by reference herein as I fully set forth, was mailed.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 35: Admit.

REQUEST FOR ADMISSION OF FACT NO. 36: Admit that Lynn did not receive mail at 903 Lincoln Street, Malvern, AR 72104 at the time the 2016 Searcy County Arkansas Tax Statement attached to the Complaint as Exhibit 7, incorporated by reference herein as if fully set forth, was mailed.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 36: Admit.

REQUEST FOR ADMISSION OF FACT NO. 37: Admit that Rural Revival Living Trust did not receive mail at 903 Lincoln Street, Malvern, AR 72104 at the time the 2016 Searcy County Arkansas Tax Statement attached to Complaint as Exhibit 7, incorporated by reference herein as if fully set forth, was mailed.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 37: Deny. I do not believe so.

REQUEST FOR ADMISSION OF FACT NO. 38: Admit that you caused the mailing address for the tax statement for Pietrczak and Lynn to be changed to 903 Lincoln Street, Malvern, AR 72104 on a date between March 22, 2016, and March 9, 2017.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 38: Deny.

REQUEST FOR ADMISSION OF FACT NO. 39: Admit that you did not pay the real estate tax due on the Lick Fork Property between March 22, 2016, and the date this request for admission is propounded.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 39: Deny.

REQUEST FOR ADMISSION OF FACT NO. 40: Admit that Lynn paid the real estate tax due on the Lick Fork Property between March 22, 2016, and the date this request for admission is propounded.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 40: Deny.

REQUEST FOR ADMISSION OF FACT NO. 41: Admit that the Searcy County, Arkansas Sheriff and Collector does not allow real estate taxes to be paid unless the personal property taxes on the same bill are current.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 41: Deny.

REQUEST FOR ADMISSION OF FACT NO. 42: Admit that Lynn was required to pay personal taxes owed by Pietrczak in Searcy County, Arkansas in order to keep the payment of the real estate tax on the Lick fork Property current.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 42: Deny.

REQUEST FOR ADMISSION OF FACT NO. 43: Admit that Lynn, as the trustee of the Rural revival Living trust, did not agree to purchase the Lick fork Property from Pietrczak for a purchase price of One Hundred Fifty Thousand Dollars and 00/100 ($150,000.00) on or about March 22, 2016.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 43: Deny.

REQUEST FOR ADMISSION OF FACT NO. 44: Admit pursuant to Smith v. Nat'l Cashflow Sys., Inc., 309 Ark. 101, 827, S.W.2d 146 (1992) an unauthorized practice of law, without other error, would not extinguish or invalidate just debt.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 44: Objection. The proceeding request for admission of fact is improper in that it requests an admission regarding

purely a matter of law. See In re Dailey, 30 Ark. App. 8, 784 S.W.2d 782 (1989). pursuant to Ark. R. Civ. P. 36. Further, the proceeding request for admission of fact is improper in that it calls for a bare conclusion of law and does not concern the application of law to fact. See Hatchell v. Wren, 363 Ark. 107, 211 S.w.3d 516 (2005). Further, objection is raised to the extent that the proceeding request for admission of fact is designed to produce information protected by the attorney/client privilege and the attorney work product doctrine. Notwithstanding these objections, to the extent that an admission or denial is required the Plaintiff denies the proceeding request for admission of fact.

REQUEST FOR ADMISSION OF FACT NO. 45: Admit that Pietrczak v. Vicki Kahia, et al, San Diego Superior Court, 37-2013-00041919-CU-BT-CTL.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 45: Deny.

REQUEST FOR ADMISSION OF FACT NO. 46: Admit that the Warranty Deed attached to the Complaint as Exhibit 6, incorporated herein by reference as if fully set forth as prepared by Laura Lynn who used an online template drafted by an attorney.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 46: Deny.

REQUEST FOR ADMISSION OF FACT NO. 47: Admit that Lynn supplied only names, dates and property description in the template from which she prepared the warranty deed attached to the Complaint as Exhibit 6, incorporated herein by refence as if fully set forth.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 47: Deny.

REQUEST FOR ADMISSION OF FACT NO. 48: Admit that the Warranty Deed attached to the Complaint as Exhibit 6, incorporated herein by reference as if fully set forth, was correct as to all required elements.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 48: Objection. The

proceeding request for admission of fact is improper in that it requests an admission regarding purely a matter of law. See In re Dailey, 30 Ark. App. 8, 784 S.W.2d 782 (1989). pursuant to Ark. R. Civ. P. 36. Further, the proceeding request for admission of fact is improper in that it calls for a bare conclusion of law and does not concern the application of law to fact. See Hatchell v. Wren, 363 Ark. 107, 211 S.w.3d 516 (2005). Further, objection is raised to the extent that the proceeding request for admission of fact is designed to produce information protected by the attorney/client privilege and the attorney work product doctrine. Notwithstanding these objections, to the extent that an admission or denial is required the Plaintiff denies the proceeding request for admission of fact.

REQUEST FOR ADMISSION OF FACT NO. 49: Admit that the Warranty Deed attached to the Complaint as Exhibit 6, incorporated herein by reference as if fully set forth, Pietrczak attested that "the Grantor certifies under penalty of false swearing that the legally correct amount of documentation stamps have been placed on this document."

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 49: Deny.

REQUEST FOR ADMISSION OF FACT NO. 50: Admit that the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as if set forth verbatim shows an "interest Rate" of 10.00 percent calculated annually in paragraph 4.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 50: Deny.

REQUEST FOR ADMISSION OF FACT NO. 51: Admit that charging an interest rate of 10.00 percent calculated annually on a mortgage in Arkansas was usuary on March 22, 2016.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 51: Objection. The proceeding request for admission of fact is improper in that it requests an admission regarding purely a matter of law. See In re Dailey, 30 Ark. App. 8, 784 S.W.2d 782 (1989). pursuant to Ark.

R. Civ. P. 36. Further, the proceeding request for admission of fact is improper in that it calls for a bare conclusion of law and does not concern the application of law to fact. See Hatchell v. Wren, 363 Ark. 107, 211 S.w.3d 516 (2005). Further, objection is raised to the extent that the proceeding request for admission of fact is designed to produce information protected by the attorney/client privilege and the attorney work product doctrine. Notwithstanding these objections, to the extent that an admission or denial is required the Plaintiff denies the proceeding request for admission of fact.

REQUEST FOR ADMISSION OF FACT NO. 52: Admit that the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as if set forth verbatim was prepared by both Pietrczak and the Trustee.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 52: Deny.

REQUEST FOR ADMISSION OF FACT NO. 53: Admit that the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as If set forth verbatim was prepared starting with a template found online.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 53: Deny.

REQUEST FOR ADMISSION OF FACT NO. 54: Admit that the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as If set forth verbatim was prepared by a template that was drafted by an attorney.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 54: Deny.

REQUEST FOR ADMISSION OF FACT NO. 55: Admit that the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as if set forth verbatim lacked an acknowledgment and proof by two witnesses.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 55: Deny.

REQUEST FOR ADMISSION OF FACT NO. 56: Admit that the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as if set forth verbatim was started was authorized to practice law in Arkansas.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 56:

REQUEST FOR ADMISSION OF FACT NO. 57: Admit that Pietrczak and the Trustee agreed to cross out a sentence on BK; MORT203 page 427 of the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as if set forth verbatim.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 57: Deny.

REQUEST FOR ADMISSION OF FACT NO. 58: Admit that Pietrczak and the Trustee agreed to cross out paragraph 6 of the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as if set forth verbatim.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 58: Deny.

REQUEST FOR ADMISSION OF FACT NO. 59: Admit that Pietrczak and the Trustee agreed to cross out paragraph 18 of the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as of set forth verbatim.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 59: Deny.

REQUEST FOR ADMISSION OF FACT NO. 60: Admit that Pietrczak and the Trustee agreed to cross out the word “will” and replace it with the word “may” in paragraph 19 of the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by reference as if set forth verbatim.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 61: Deny.

REQUEST FOR ADMISSION OF FACT NO. 62: Admit that the Rural Revival Living

Trust was not represented by a person authorized to practice law in Arkansas when the Trustee executed the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by references as if set forth verbatim.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 62: Deny.

REQUEST FOR ADMISSION OF FACT NO. 63: Admit that a trust should not be bound by legal DOCUMENTS executed on its behalf by a PERSON who is not authorized to practice law if there are any technical errors on the DOCUMENT.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 63: Deny.

REQUEST FOR ADMISSION OF FACT NO. 64: Admit that there was no consideration given by Pietrczak to Rural Revival Living trust to form the Mortgage Agreement attached to the Complaint as Exhibit 5, incorporated herein by references as if set forth verbatim.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 64: Deny.

REQUEST FOR ADMISSION OF FACT NO. 65: Admit that Pietrczak told Lynn that he would gift the Lick Fork Property to Lynn on March 22, 2016 but he was afraid Lynn's former spouse would "take" the Lick Fork Property.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 65: Deny.

REQUEST FOR ADMISSION OF FACT NO. 66: Admit that on March 22, 2016, Pietrczak told Lynn that to protect the Lick fork Property from Lynn's former spouse, Lynn should create a trust for Pietrczak to gift the property to and then encumber the Lick Fork Property with a mortgage.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 66: Deny.

REQUEST FOR ADMISSION OF FACT NO. 67: Admit that on March 22, 2016, Pietrczak told Lynn that he would use the purported mortgage payments from Rural revival Living

Trust to rent a property other than the Lick Fork Property where he could go to get drunk and that he would still live at the Lick fork Property "as husband and wife in the eyes of God" when he was not drunk.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 67: Deny.

REQUEST FOR ADMISSION OF FACT NO. 68: Admit that the Rural Revival Living Trust had no liquid assets other than one dollar ($1.00).

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 68: Deny.

REQUEST FOR ADMISSION OF FACT NO. 69: Admit that Lynn paid the purported mortgage payments to Pietrczak from March 22, 2016, to May 23, 2016 from income to Lynn as shareholder in Silver Strand Plaza, LLC.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 69: Deny.

REQUEST FOR ADMISSION OF FACT NO. 70: Admit that with each of the two payments made by Lynn to Pietrczak from March 22, 2016, to May 23, 2016, Pietrczak went on a drunken bender.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 70: Deny.

REQUEST FOR ADMISSION OF FACT NO. 72: Admit that that a few days after the second payment made by Lynn to Pietrczak on May 23, 2016, Pietrczak drove back to the Lick Fork Property from the next county while under the influence of alcohol.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 72: Deny.

REQUEST FOR ADMISSION OF FACT NO. 73: Admit that about May 27 or 28, 2016 Pietrczak had a catastrophic accident while riding his ATV.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 73: Admit. Around those dates.

REQUEST FOR ADMISSION OF FACT NO. 74: Admit that about May 28, 2016, Lynn drove Pietrczak to a hospital in Conway.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 74: Admit. She dropped me off and left for California right after she dropped me off.

REQUEST FOR ADMISSION OF FACT NO. 75: Admit that about May 28, 2016, immediately after Lynn drove Pietrczak to a hospital in Conway, the hospital in Conway caused Pietrczak to be transported by ambulance to UAMS emergency hospital because UAMS is one of the few hospitals in Arkansas that had a specialist who could perform brain surgery that might require to save Pietrczak's life.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 75: Admit. It was not brain surgery. They just had to monitor my vitals.

REQUEST FOR ADMISSION OF FACT NO. 76: Admit that when Pietrczak was in UAMS hospital about May 28, 2016, he told the social worker that Lynn was his "wife."

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 76: Deny.

REQUEST FOR ADMISSION OF FACT NO. 77: Admit that when Pietrczak was in UAMS hospital about May 28, 2016, Lynn told Pietrczak, "I think we should tell them you have a history of drug abuse."

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 77: Deny.

REQUEST FOR ADMISSION OF FACT NO. 78: Admit that when Lynn made the statement as in Request number 72 above, Pietrczak responded: "if you do I will kill you."

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 78: Deny.

REQUEST FOR ADMISSION OF FACT NO. 79: Admit that when a social worker called Lynn about May 30, 2016 and told Lynn that Pietrczak had to be released to someone who could

care for him, Lynn refused to retrieve Pietrczak.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 79: Admit.

REQUEST FOR ADMISSION OF FACT NO. 80: Admit that on or about May 30, 2016, Lunn and Pietrczak separated, and Lynn no longer considered Pietrczak her "husband in the eyes of God."

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 80: Deny. We were never husband and wife.

REQUEST FOR ADMISSION OF FACT NO. 81: Admit that Pietrczak is about nine years younger than Lynn who was 54 years old in May 2016.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 81: Admit.

REQUEST FOR ADMISSION OF FACT NO. 82: Admit that Pietrczak advertised on Craigslist about May 27, 2016, for a companion who wanted to travel around with him who was female between the ages of 18 to 21, with blonde hair, blue eyes and petite.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 82: Admit.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 83: Admit.

REQUEST FOR ADMISSION OF FACT NO. 84: Admit that Lynn said to Pietrczak that the payment she made on June 23, 2016, was for half the value of the mortgage on which Pietrczak was the mortgagee.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 84: Deny.

REQUEST FOR ADMISSION OF FACT NO. 85: Admit that the Lick Fork Property was not worth $658.00 per month, plus tax, insurance, and utilities in June 2016.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 85: Deny.

REQUEST FOR ADMISSION OF FACT NO. 86: Admit that on or about June 16, 2016,

you sent a letter to Lynn demanding the full amount of $1,316.36 per month for a mortgage payment on behalf of the Rural Revival Living Trust.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 86: Admit. I asked her to pay her mortgage, but I was never part of the Trust.

REQUEST FOR ADMISSION OF FACT NO. 87: Admit that since June 16, 2016, you have refused to divide the property accumulated by Pietrczak ad Lynn between December 2009 and May 30, 2016, as described in the Notice attached to the Complaint as Exhibit 3, incorporated by reference herein as if in its entirety.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 87: Deny.

REQUEST FOR ADMISSION OF FACT NO. 88: Admit that you paid no money to Lynn since May 30, 2016.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 88: Admit.

REQUEST FOR ADMISSION OF FACT NO. 89: Admit that Pietrczak called Lynn his "wife" and said they were "married in the eyes of God" in order to con the faithful Lynn into sharing her money and her considerable other resources as if Pietrczak, Lynn and God were braided together as one.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 89: Deny.

REQUEST FOR ADMISSION OF FACT NO. 90: Admit that Lynn believed Pietrczak, and Lynn were "husband and wife in the eyes of God" on February 23, 2015.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 90: Deny.

REQUEST FOR ADMISSION OF FACT NO. 91: Admit that Pietrczak and Lynn were "husband and wife in the eyes of God" on February 23, 2015.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 91: Deny.

REQUEST FOR ADMISSION OF FACT NO. 92: Admit that caring for an alcoholic and drug addict for six and a half years and then learning that it was a big fraud tore Lynn's heart out.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 92: Deny.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak.
By: */s/ William Z. White*
William Z. White (AR Bar No. 2007255)
706 West Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
500 Amity Road Suite 5B #306
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Friday, August 20, 2021

/s/ William Z. White
William Z. White

ELECTRONICALLY FILED
Searcy County Circuit Court
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C20D01 : 1 Page

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CIRCUIT JUDGE
1ST DIVISION 20TH JUDICIAL DISTRICT
FAULKNER COUNTY JUSTICE BUILDING
510 SOUTH GERMAN LANE
MAILING ADDRESS
801 LOCUST STREET
CONWAY, ARKANSAS 72034

TAMMY WEAVER
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JANA.PERRY@FAULKNERCOUNTY.ORG

August 19, 2021

Re: 65CV-21-20 MICHAEL PEITRCZAK v. RURAL LIVING TRUST ETAL.

Dear Ms. Hammett and Mr. White,

The court writes this letter to clarify some issues in the case, clear some issues, and reiterate the importance of the rules moving forward.

First, I want to begin by addressing the order granting the motion for extension of time, which the Defendant has inappropriately responded to via email to the court's Trial Court Administrator. The motion to extend was an oral motion, made on August 4th, and the Defendant was present. It has been over 10 days since the oral motion was made and to date, Defendant failed to file any motion or response opposing the oral motion to extend.

Secondly, there is voluminous and inappropriate contact with the Court staff, which needs to cease immediately. The banter and complaining, on both sides, ends today. The Arkansas Rules of Civil Procedure lay out the procedural rules of case and this court. Should you want to contact the court, or want the court to consider an issue, its shall be done in accordance with the rules.

Consider this letter a friendly but stern warning that this court fully expects all parties to comply with the Arkansas Rules of Civil Procedure and the Arkansas Rules of Evidence during this case.

Sincerely,

Judge Susan K. Weaver

Serving Faulkner, Searcy and Van Buren Counties

ELECTRONICALLY FILED
Searcy County Circuit Court
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2021-Aug-20 16:25:08
65CV-21-20
C20D01 : 4 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **NO. 65CV-21-20**

RURAL REVIVIAL LIVING TRUST
AND LAURA LYNN **DEFENDANT**

ORDER

Comes now the Court, after reviewing the above-style case and Separate Defendant/Counter-Claimant Laura Lynn's Motion to Continue, Motion for Default Judgment, Motion for Admissions Deemed Admitted, Motion to Dismiss, Motion in Limine, Motion for Written Order and renewed Objection to Continue, Motion to Read Jury Instructions, and Objection to Order to Extend, and orders as follows:

1. On June 10, 2021 Separate Defendant Laura Lynn filed a Motion to Continue. On August 4th, the Court took up preliminary matters and it was clear a continuance was needed as the parties were not ready to proceed that day. Therefore, said motion was granted.
2. On July 13, 2021 Separate Defendant/Counter-Plaintiff Laura Lynn filed a Motion for Default Judgement. In review of Defendant/Counter-Plaintiff's Counter-Claim, it is evident is it not in compliance with Arkansas Rules of Civil Procedure Rule 8. Therefore, said motion is denied and Counter-Claim is dismissed without prejudice.
3. On July 27, 2021 Separate Defendant/Counter-Plaintiff Laura Lynn filed a Motion to have

the first set of Request for Admissions Deemed Admitted. Separate Defendant/Counter-Plaintiff Laura Lynn's motion was premature as she failed to comply with Arkansas Rules of Procedure Rule 36. Additionally, the Request for Admissions are null as they are not in compliance with Arkansas Rules of Procedure Rule 11. Thereby, her motion is denied in its entirety.

4. On August 3, 2021 Separate Defendant/Counter-Plaintiff Laura Lynn filed a Motion to Dismiss. The motion points out issues of typos on behalf of the Plaintiff, however, court finds there are multiple typos for both parties. Further, the motion is incorrect as it misstates Arkansas Rules of Procedure Rule 10. Lastly, as for the statute of limitations issues, this is an improper argument. See Ark. Code Ann. Section 16-56-126 and Blaylock v. Shearson Lehman 954 S.W. 1d 939 (1997). This motion is denied.
5. On August 3, 2021 Separate Defendant/Counter-Plaintiff Laura Lynn filed a Motion in Limine for Trial of August 4, 2021. First, this was untimely, and it is unquestionably moot. Therefore, this motion is denied.
6. On August 5, 2021 Separate Defendant/Counter-Plaintiff Laura Lynn filed an Affidavit of Laura Lynn Hammett Re: Motion for Written Order and Laura Lynn Hammett's Renewed Objection to Continuance. The Court is complying with the request for a written order, and denying her renewed objection to continuance.
7. On August 5, 2021 Separate Defendant/Counter-Plaintiff Laura Lynn filed a Motion for the Court to Read Jury Instructions Including Specials. This motion is extremely premature as it is not even set for a jury trial yet, and the court will comply with the rules related to

jury instructions, when it is time for jury instructions to be read. Thus, the motion is denied.

8. On August 19, 2021 Separate Defendant/Counter-Plaintiff Laura Lynn filed an Objection to an Order to Extend Time to Perfect Service. While this is not a motion, the Court will address the objection. First, it is noted that in the preparation of this order, the Court listened to the court reporter audio from the August 4, 2021 hearing. A discussion related to the need for an extension, and the reasons therefore, was made in open court on August 4, 2021. The Court, at that time, considered the discussion an oral motion. On the record, the Court stated that the case would be continued, indicated Plaintiff's discussion of extension was an oral motion, and even directed Plaintiff to draft the order for extension and include specific language that the order was from the oral motion. While Separate Defendant/Counter-Plaintiff Laura Lynn objects to the granting of the extension, well more than ten (10) days have past since Plaintiff made the oral motion and she failed to file a timely response or objection.
9. If Separate Defendant/Counter-Plaintiff Laura Lynn, is not served under Rule 4 of the Arkansas Rules of Civil Procedure within the 120 day extension, this case will be dismissed.

IT IS SO ORDERED.

CIRCUIT JUDGE

08/20/2021

DATE

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65CV-21-20
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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **NO. 65CV-21-20**

RURAL REVIVIAL LIVING TRUST
AND LAURA LYNN **DEFENDANT**

ORDER TO STRIKE

Comes now the Court, after reviewing the above-style case and orders as follows:

1. A half-day bench trial was scheduled for August 4, 2021.
2. It was evident on that date, the case was not ready to proceed.
3. Prior to the hearing, on April 27, 2021, the court issued a letter requiring all parties to submit exhibits twenty-four (24) hours in advance, or by 4:00pm on the Friday prior to a Monday setting. The letter was clear the exhibits were to be submitted ***to the court reporter***.
4. Separate Defendant/Counter-Claimant Laura Lynn, however, also filed exhibits with the circuit clerk's office, thus making them part of the court file that had not been admitted into evidence by this court.
5. By filing exhibits not admitted into evidence by the court, Separate Defendant/Counter-Claimant Laura Lynn, skirted the Arkansas Rules of Evidence and Procedure.
6. Therefore, the exhibits one (1) through seven (7) filed on June 10, 2021 and the "email chain" exhibit filed on June 10, 2021, the exhibit filed on July 27, 2021 and all exhibits

filed August 2, 2021 and any other exhibits not specifically admitted by the court, are hereby stricken from the record.

7. The court will only consider evidence and exhibits that are properly introduced to the court during a hearing pursuant to the Arkansas Rules of Evidence and Arkansas Rules of Civil Procedure.

IT IS SO ORDERED on this 20th day of August, 2021.

CIRCUIT JUDGE

08/20/2021
DATE

WILLIAM "ZAC" WHITE
Attorney & Counselor at Law
wzwhite@wzwhite.com

706 West Main Street
Heber Springs, Arkansas 72543
(501) 365-3934 office • (501) 365-3935 facsimile

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C20D01 : 2 Pages

August 20, 2021

RE Pietrczak v. Rural Living Trust, Etc –
Searcy County Circuit Court Case No. 65CV-21-20
Pre-Litigation Settlement Demand

Dear Judge Weaver:

Thank you for your letter dated August 19, 2021. Respectfully, I have not purposefully engaged in banter and complaining with the Court's staff. Ms. Hammett is incessant in her communications with my office and the Court. In the event that I have replied all with a short e-mail that may have included your staff I apologize.

Ms. Hammett is one of the most unpleasant opposing counsels or parties I have had the misfortune of dealing with in 14 years of practicing law. I am constantly threatened with personal lawsuits, disciplinary actions, etc. Just this afternoon, I received another one of Ms. Hammett's exhaustive attacks about how I will be personally sued, that I must immediately take some action in the case, and that I am increasing her damages against me by continuing to litigate this case. Additionally, Ms. Hammett believes that she will have me disbarred and that she will have you removed from the case and somehow removed from the bench. **See Attached Exhibit 1.** The attached is just one example of her comments regarding this Court. I feel the Court should be aware of Ms. Hammett's threats against you personally and the Court so that the Court may take whatever action it sees fit in proceeding.

I have always attempted to treat pro-se litigants professionally, but Ms. Hammett is pushing the limits of my tolerance and patience. Thank you for issuing the order regarding the many frivolous pleadings Ms. Hemmant has filed (and undoubtedly will continue to file) pending before this Court.

Thank you for your time and consideration. If you have any questions or concerns, then please feel free to contact my office.

Regards,

William Z. White

cc: client/file
Ms. Hammett via e-flex

WZW
WILLIAM "ZAC" WHITE
ATTORNEY & COUNSELOR AT LAW

William Z. White <wzwhite@wzwhite.com>

Pietrczak

2 messages

Laura Lynn <bohemian_books@yahoo.com> Fri, Aug 20, 2021 at 3:08 PM
To: "William Z. White" <wzwhite@wzwhite.com>

Dear Mr. White,

Each of the three documents you filed today are untimely, and therefore of no effect. Please withdraw each immediately. I intend to sue you or move for sanctions (after Judge Weaver is removed from the case and hopefully the bench) and have you disbarred. You are just increasing your damages by having me write my objections and replies.

Today I was in the Federal District Court filing POS on the Bivens action against the clerk in Southern California.

I looked up all your cases in that court. Wow! Three for three losses. And the open case against the sheriffs for using "excessive force" that somehow made the alcoholic, unstable man shoot himself dead, right as the officers were entering the house...well, my uneducated opinion is that you will keep up your losing streak.

Have a nice weekend...after you withdraw the untimely docs.

Laura Hammett

William Z. White <wzwhite@wzwhite.com> Fri, Aug 20, 2021 at 3:24 PM
To: Laura Lynn <bohemian_books@yahoo.com>

Naw. They will stay. I'll be practicing law long after you have crawled back under the rock you came from. However, your email is correct about one thing and that is that your opinions are certainly uneducated. You have become one of my main sources of entertainment these last few weeks.

[Quoted text hidden]

--

Regards,

Zac

William Z. White
Attorney & Counselor at Law
706 West Quitman Street
Heber Springs, AR 72543

Phone: (501) 365-3934
Fax: (501) 365-3935



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65CV-21-20
C20D01 : 5 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK **PLAINTIFF**

V.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

LAURA LYNN HAMMETT **COUNTER-CLAIMANT**

V.

MICHEAL PIETRCZAK **COUNTER-DEFENDANT**

LAURA LYNN HAMMETT'S REPLY TO PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION IN LIMINE

COMES NOW, Separate Defendant named as "Laura Lynn", which the answering defendant believes to be a misnomer for "Laura Lynn Hammett", and Counterclaimant Laura Lynn Hammett, herein referred to as "Hammett and for her Reply to Plaintiff's Response to Defendant's Motion in Limine states as follows:

1. Hammett filed a Motion in Limine ("Motion") on August 3, 2021.
2. Any response by Plaintiff was due by August 17, 2021, if not made at the trial. (BIS ¶ 8)
3. Plaintiff filed a "PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION IN LIMINE" ("Response") on August 19, 2021. It was untimely and should therefore be disregarded.
4. The first word in the title "PLAINTIFFS'" implies there is more than one plaintiff, but the caption lists only one plaintiff and does not say "et al". Defendant does not adopt the contention that there are multiple plaintiffs in this case.
5. Plaintiff made no arguments. Along those lines, there is no brief. (See brief ¶¶ 9, 10.)
6. Response ¶ 2 is confusing. Motion ¶ 2 states "Plaintiff Micheal Pietrczak has not served any exhibits on Lynn." The Response ¶2 states "[p]leading affirmatively, Defendant has filed an answer to Plaintiff's Complaint which has exhibits attached thereto." Micheal Pietrczak is not the Defendant. If this was a "typo" and Mr. White meant "Counter-Defendant" and "Counter-claimant's

Counterclaim" the statement would be a falsity. Pietrczak filed no answer to the counterclaim.

7. In Response ⁋7, Plaintiff makes what appears to be a motion for sanctions under Rule 11. He does not ask the Court to move for sanctions on its own, giving Plaintiff an opportunity to respond. Motions for Rule 11 sanctions must be made separately, and the movant must first serve the motion without filing, give specific violations and a safe-harbor period of 21 days for the responding party to correct any violation. (BIS ⁋⁋ 11, 12) Pietrczak did not follow any of this procedure and did not claim to in the Response.

BRIEF IN SUPPORT

8. "Any party opposing a motion shall serve a response within 10 days after service of the motion." Rule 6 - Time, Ark. R. Civ. P. 6(c). "When the period of time prescribed or allowed is less than fourteen (14) days, intermediate Saturdays, Sundays, or legal holidays shall be excluded in the computation." Rule 6 - Time, Ark. R. Civ. P. 6(a).

9. "All motions required to be in writing and any responses and replies shall include a brief supporting statement of the factual and legal basis for the motion, response, or reply and the citations relied upon. Any supporting affidavits shall be served with the motion, response, or reply. Failure to satisfy these requirements shall be ground for the court's striking the motion, response, or reply." *Rule 7 - Pleadings and Motions*, Ark. R. Civ. P. 7

10. The Response was devoid of argument or brief, therefore the Court should strike it.

11. "If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, shall impose upon any attorney or party who violated this rule an appropriate sanction." ARCP Rule 11 in (c)(1).

12. "(5) A motion for sanctions under this rule shall be made separately from other motions or requests and shall describe the specific conduct alleged to violate subdivision (b). It shall be served as provided in Rule 5 but shall not be filed with or presented to the court unless, within 21 days after service of the motion, or such other period as the court may prescribe, the challenged paper, claim, defense, contention, allegation, or denial is not withdrawn or appropriately corrected." *Rule 11 - Signing of Pleadings, Motions, and Other Papers; Sanctions*, Ark. R. Civ. P. 11

13. WHEREFORE, Defendant respectfully asks this Court to grant the proposed order for the Motion in Limine to be applied to the jury trial that was continued on Plaintiff's oral motion made on the day the trial was noticed for, August 4, 2021.

Respectfully submitted,

August 21, 2021

Laura Lynn Hammett, Defendant and Counter-Claimant in pro se

By /s/ Laura Lynn Hammett

500 Amity Road Suite Suite 5B #306
Conway, Arkansas 72032
Phone: (760) 966-6000
Email: Bohemian_Books@yahoo.com

CERTIFICATE OF SERVICE

I, Laura Lynn Hammett, state that the foregoing document was filed electronically on August 21, 2021, thereby being served on Counsel of record who has agreed to electronic service.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant in pro se

500 Amity Road Suite 5B #306

Conway, Arkansas 72032

(760) 966-6000

Bohemian_books@yahoo.com

/s/ Laura Lynn Hammett

WILLIAM "ZAC" WHITE
Attorney & Counselor at Law
wzwhite@wzwhite.com

706 West Main Street
Heber Springs, Arkansas 72543
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August 23, 2021

RE Pietrczak v. Rural Living Trust, Etc –
Searcy County Circuit Court Case No. 65CV-21-20

Dear Judge Weaver:

Attached is Exhibit 2 to the letter the Court I filed on August 20, 2021. The attached exhibit indicates that on Friday, August 20, 2021, at 5:12 p.m., Ms. Hammett issued additional threats concerning the Court, myself, and any other "cohorts" involved in the above captioned lawsuit. Ms. Hammett has once again reiterated that she has filed a judicial ethics complaint against your honor, and that she hoped that "they" "were able to monitor her (you) electronically" after her complaint was filed and that "they" "may have found evidence of honest services fraud". Frankly, I have never come across that action in Arkansas jurisprudence during my practice, but I felt the Court should be aware of Ms. Hammett's claims. I do not know if Ms. Hammett has or has not filed a judicial complaint, but I thought it appropriate to notify the Court of Ms. Hammett's continued threats.

Thank you for your time and consideration. If you have any questions or concerns, then please feel free to contact my office.

Regards,

William Z. White

cc: client/file
Ms. Hammett via e-flex

WZW
WILLIAM "ZAC" WHITE
ATTORNEY & COUNSELOR AT LAW

William Z. White <wzwhite@wzwhite.com>

Re: Pietrczak

Laura Lynn <bohemian_books@yahoo.com> Fri, Aug 20, 2021 at 5:12 PM
To: "William Z. White" <wzwhite@wzwhite.com>

Apparently Mr. Pietrczak didn't tell you about Mr. Friedenthal and pals. Mr. Friedenthal used to be a court commissioner. He ran for judge twice and lost both times and then got disciplined for his actions on my case and four others that I helped bring to light. I even got on Fox News.

Judge Weaver will probably lose her job over our case, as will you and any other cohort. Hopefully when I filed my complaint against Judge Weaver, they were able to monitor her electronically after that and may have found evidence of honest services fraud. It does not seem entertaining at all.

Have a nice weekend.

On Friday, August 20, 2021, 03:25:24 PM CDT, William Z. White <wzwhite@wzwhite.com> wrote:

Naw. They will stay. I'll be practicing law long after you have crawled back under the rock you came from. However, your email is correct about one thing and that is that your opinions are certainly uneducated. You have become one of my main sources of entertainment these last few weeks.

On Fri, Aug 20, 2021 at 3:08 PM Laura Lynn <bohemian_books@yahoo.com> wrote:

> Dear Mr. White,
>
> Each of the three documents you filed today are untimely, and therefore of no effect. Please withdraw each immediately. I intend to sue you or move for sanctions (after Judge Weaver is removed from the case and hopefully the bench) and have you disbarred. You are just increasing your damages by having me write my objections and replies.
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> Today I was in the Federal District Court filing POS on the Bivens action against the clerk in Southern California.
>
> I looked up all your cases in that court. Wow! Three for three losses. And the open case against the sheriffs for using "excessive force" that somehow made the alcoholic, unstable man shoot himself dead, right as the officers were entering the house...well, my uneducated opinion is that you will keep up your losing streak.
>
> Have a nice weekend...after you withdraw the untimely docs.
>
> Laura Hammett



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2021-Aug-24 06:13:27
65CV-21-20
C20D01 : 9 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK **PLAINTIFF**

V.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

LAURA LYNN HAMMETT **COUNTER-CLAIMANT**

V.

MICHEAL PIETRCZAK **COUNTER-DEFENDANT**

LAURA LYNN HAMMETT'S REPLY TO PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS WITH PREJUDICE AND MOTION FOR RECONSIDERATION

COMES NOW, Separate Defendant named as "Laura Lynn", which the answering defendant believes to be a misnomer for "Laura Lynn Hammett", and Counterclaimant Laura Lynn Hammett, herein referred to as "Hammett and for her Reply to Plaintiff's Response to Defendant's Motion to Dismiss with Prejudice states as follows:

1. Hammett filed a Motion to Dismiss with Prejudice ("Motion") on August 3, 2021.
2. Any response by Plaintiff was due by August 17, 2021. (BIS ⁋ 38)
3. The Motion was not argued at the "final hearing" on August 4, 2021. (Transcript has been on order since August 4, 2021 but has not been made available to Hammett as of this writing.)
4. Plaintiff filed a "PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION TO DISMISS WITH PREJUDICE" ("Response") on August 19, 2021. It was untimely and should therefore be disregarded. (BIS ⁋ 38)
5. The first word in the title "PLAINTIFFS'" implies there is more than one plaintiff, but the caption lists only one plaintiff and does not say "et al". Defendant does not adopt the contention that there are multiple plaintiffs in this case.
6. This Court denied the Motion to Dismiss in the Order filed August 20, 2021, ⁋ 4. This Court denied Laura Lynn Hammett her Constitutional Right to Due Process by violating Ark. R. Civ. Proc. Rule 6(c + a), not giving Hammett her mandatory period to reply. (BIS ⁋⁋ 39)

7. Defendant moves the Court to reconsider its order considering the reply to Plaintiff's Response and arguments opposing the sua sponte findings of the Court.

8. The Court stated that "the motion is incorrect as it misstates Arkansas Rules of Procedure Rule 10." Unless the Court left out the word "civil" purposefully, Motion ¶ 35 begins with ARCP Rule 10(d) in its entirety verbatim.

9. The Court gives as the final reason it denied the Motion to Dismiss: "Lastly, as for the statute of limitations issues, this is an improper argument. See Ark. Code Ann. Section 16-56-126 and Blaylock v. Shearson Lehman 954 S.W. 1d 939 (1997)."

10. The Court is wrong about 16-56-126. The second Pietrczak v Rural Revival Living Trust, et al was not commenced within the savings statute period, because there was no non-suit or voluntary dismissal of the initial suit. (BIS ¶¶ 40-43) The Defendant moved for a dismissal for lack of prosecution, which was granted on May 1, 2018 and entered May 5, 2018. (see docket 65CV-18-8, "Pietrczak I")

11. Plaintiff made no arguments in opposition to the MTD. Along those lines, there is no brief. (See BIS ¶¶ 44, 45.)

12. The Court made three arguments for Plaintiff, did not give Defendant an opportunity to respond and did not address a myriad of other issues briefed by Defendant.

13. The issues that were not opposed, and therefore opposition waived, were: the statute of limitations alternatively if the savings statute failed, as it did;

14. that a trust is not a proper party and the trustee was never named or served summons, on the initial suit or the case at bar;

15. that the trustee is a necessary party;

16. laches;

17. the lack of any plausible evidence there was a sale and not a gift deed, as the tax stamps would suggest;
18. that the mortgage is null and void on its face;
19. Laura Lynn did not sign the mortgage as a guarantor;
20. that Plaintiff did not plead fraud with particularity;
21. lack of support for the claim of Lynn being malicious;
22. that the complaint was devoid of any facts that supported the claim that Pietrczak was incapacitated when he signed the partnership agreement;
23. that Pietrczak gave no evidence that he was turned down for SSI and how Hammett *not* paying him would cause him to be considered ineligible.
24. Plaintiff made a rote denial of most of the "allegations" as if he was answering a pleading. He gives no reasoning or alternative theories behind the denials.
25. For example, in Response ¶13 Plaintiff denies direct quotes from caselaw. He does not differentiate the case from the authority.
26. In Response ¶ 12, Plaintiff denies the "allegations" in Motion ¶ 23 which states in full: "Plaintiff named 'Rural Revival Living Trust' as a defendant. (Answer Caption and ¶2) But Plaintiff failed to have a summons issued directed to "Rural Revival Living Trust". (See docket for lack)
27. That Plaintiff named "Rural Revival Living Trust" as a defendant is prima facia on the face of the complaint in the caption. So that denial is a violation of Rule 11.
28. In Response ¶ 1, Plaintiff admits only one summons was issued, and that summons was directed to "Laura Lynn". So denial that Plaintiff failed to have the summons directed to "Rural Revival Living Trust" issued is contradictory to Plaintiff's own admission and is therefore a violation of Rule 11.

29. But Plaintiff goes on in Response ⁋ 12 "pleading affirmatively" that Defendant has refused to accept service on behalf of the trust.

30. There was admittedly no summons issued for the trust, so there could have been no attempted service. The Plaintiff again violated Rule 11.

31. If the Plaintiff's attorney merely misspoke, which he does quite often, then maybe he meant Laura Lynn refused to waive service of summons for the trust. No notice and acknowledgement was sent to Laura Lynn by Plaintiff, and even if one was sent, Hammett could not decide how to proceed on litigation on behalf of the trust without first consulting with an attorney. Hammett was waiting for Plaintiff to serve legal documents on her before hiring an attorney to represent the trust defendant. (Hammett paid a $5,000 retainer to the attorney for Pietrczak I, just to have Pietrczak refuse to participate in discovery.)

32. Service could have been by mail and Plaintiff knew Hammett's mailing address at UPS since at least June 10, 2021. Plaintiff could have found Hammett's home address on the tax assessor or collector website, as that is where the Lick Fork Property tax bill is mailed. Hammett confirmed her home address during the hearing of August 4, 2021. Yet Pietrczak does not give any indication of any attempt at service, because there was none.

33. In Response ⁋ 34, Plaintiff denies the sentence in Motion ⁋ 68 that says "Lynn has not paid any money to Pietrczak since the first month of learning of his disability." By plaintiff's denial, this means Lynn (now Hammett) paid Pietrczak money since that time in early 2017.

34. Since Hammett has no recollection of paying any money to Pietrczak since learning of his accident Hammett suspects Pietrczak is paying himself without an

accounting money from the Laura Lynn Living Trust of which he is trustee. That does not toll the statute of limitations on a collection.

35. In Response ¶ 36, Plaintiff denies the allegations in Motion ¶71 that Mr. White certified personal service of the Notice of the August 4, 2021 hearing on Laura Lynn. The document is prima facia evidence that Mr. White did certify service. This is another violation of Rule 11.

36. In Response ¶ 36 Plaintiff goes on "pleading affirmatively" that he did attempt service and Defendant evaded. There is no affidavit of a process server attached. There is no evidence of evasion presented. And Hammett answered and counter-claimed without service, volunteering the individual defendant to jurisdiction of the court.

37. In Response ¶7, Plaintiff makes what appears to be a motion for sanctions under Rule 11. He does not ask the Court to move for sanctions on its own, giving Plaintiff an opportunity to respond. Motions for Rule 11 sanctions must be made separately, and the movant must first serve the motion without filing, give specific violations and a safe-harbor period of 21 days for the responding party to correct any violation. (BIS ¶¶ 46, 47) Pietrczak did not follow any of this procedure and did not claim to in the Response.

BRIEF IN SUPPORT

38. "Any party opposing a motion shall serve a response within 10 days after service of the motion." Rule 6 - Time, Ark. R. Civ. P. 6(c). "When the period of time prescribed or allowed is less than fourteen (14) days, intermediate Saturdays,

Sundays, or legal holidays shall be excluded in the computation." Rule 6 - Time, Ark. R. Civ. P. 6(a).

39. "The movant shall then have 5 days after service of the response within which to serve a reply." (emphasis added)(ARCP Rule 6(c))

40. "(a)(1) If any action is commenced within the time respectively prescribed in this act, in §§ 16-116-101 -- 16-116-107, in §§ 16-114-201 -- 16-114-209, or in any other act, and the plaintiff therein suffers a nonsuit [or verdict reversed] the plaintiff may *commence* a new action within one (1) year after the nonsuit suffered or judgment arrested or reversed." (emphasis added) Ark. Code Ann. § 16-56-126 (West) Pietrczak I was dismissed involuntarily on May 1, 2018 due to lack of prosecution. It was not a "non-suit" nor was it arrested or reversed.

41. Even if a non-suit, if the order for extension of time for service is overturned on appeal, then commencement of the present action would not be within the allotted time.

42. "An action is commenced by filing a complaint with the clerk of the proper court and completing service within the 120–day period following the filing of the complaint. *Green v. Wiggins, 304 Ark. 484, 803 S.W.2d 536 (1991)." Long v. Bonds, 89 Ark. App. 111, 113, 200 S.W.3d 922, 923 (2005)*

43. *"*Failure to comply with the service requirements of Rule 4(i) of the Arkansas Rules of Civil Procedure results in a failure to commence the action so as to effectuate the one-year savings provision provided in Ark.Code Ann. § 16–56–126 (1987*). Green v. Wiggins, supra*." Id.

44. "All motions required to be in writing and any responses and replies shall include a brief supporting statement of the factual and legal basis for the motion, response, or reply and the citations relied upon. Any supporting affidavits shall be

served with the motion, response, or reply. Failure to satisfy these requirements shall be ground for the court's striking the motion, response, or reply." *Rule 7 - Pleadings and Motions*, Ark. R. Civ. P. 7

45. The Response was devoid of argument or brief, therefore the Court should strike it.

46. "If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, shall impose upon any attorney or party who violated this rule an appropriate sanction." ARCP Rule 11 in (c)(1).

47. "(5) A motion for sanctions under this rule shall be made separately from other motions or requests and shall describe the specific conduct alleged to violate subdivision (b). It shall be served as provided in Rule 5 but shall not be filed with or presented to the court unless, within 21 days after service of the motion, or such other period as the court may prescribe, the challenged paper, claim, defense, contention, allegation, or denial is not withdrawn or appropriately corrected." *Rule 11 - Signing of Pleadings, Motions, and Other Papers; Sanctions*, Ark. R. Civ. P. 11

48. WHEREFORE, Defendant respectfully asks this Court to reconsider and grant the proposed order for the Motion to Dismiss All Plaintiff Pietrczak's claims against Separate Defendant Laura Lynn Hammett.

Respectfully submitted,

August 24, 2021 Laura Lynn Hammett, Defendant and Counter-Claimant in pro se

By /s/ Laura Lynn Hammett

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CERTIFICATE OF SERVICE

I, Laura Lynn Hammett, state that the foregoing document was filed electronically on August 24, 2021, thereby being served on Counsel of record who has agreed to electronic service.

/s/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION TO STRIKE PLAINTIFF'S UNTIMELY RESPONSES FOR REQUESTS FOR ADMISSION AND BRIEF IN SUPPORT

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Hammett"), in pro se, and for her Motion to Strike Plaintiff's Untimely Responses to Requests for Admissions, states as follows:

1. On July 27, 2021 Hammett filed a Motion to have the first set of Request for Admissions Deemed Admitted. (See docket and "Order" filed August 20. 2021, paragraph 3.)
2. Plaintiff filed a response on July 30, 2021 that was posted on August 2, 2021. There was no brief in support, and therefore the response was of no effect.
3. Hammett filed a reply on August 3, 2021.
4. The Court filed an order denying the motion on August 20, 2021 at 16:25:08.
5. The first reason given for the denial was "[Hammett] failed to comply with Arkansas Rules of Procedure 36." There was no elaboration. Because the Plaintiff's response was devoid of any argument, it is impossible for Hammett to know what exactly was objectionable to her motion. This is a violation of due process under the United States Constitution.
6. The Court, in the order, also found that Hammett's requests were "null as they are not in compliance with Rull 11." There was no rule 11 motion before the court and there was no specific reason for the violation given. Hammett is not aware of any Rule 11 violation in her requests for admissions or her motion to have the admissions deemed admitted.
7. Somehow, Plaintiff's attorney William Z. White anticipated the denial of Hammett's motion, even though it had gone virtually unopposed, and filed

responses to the requests for admissions on August 20, 2021 at 14:42:44, an hour and 43 minutes before the Court filed her Order.

8. Further, Hammett renews her objection to any proceedings after August 4, 2021. Hammett was prepared for a jury trial on that day and allowing Plaintiff any discovery after August 4, 2021 is prejudicial to Hammett's case.
9. Alternatively, Hammett argues that she submitted to the jurisdiction of the Court by filing a counterclaim and by submitting exhibits for trial. The continuance was given for the sole purpose of serving summons on Rural Revival Living Trust. Until Rural Revival Living Trust is served, there should be no reason for continued discovery.
10. Rural Revival Living Trust will not be served by addressing Laura Lynn or even Laura Lynn Hammett. Hammett is not trustee to "Rural Revival Living Trust" and never has been. Since Pietrczak claims he does not have a copy of the trust he is serving and Hammett is not familiar with that particular trust either, it seems that continuing the trial in order to serve the ghost trust is prejudicial to Hammett's case and delays her ability to recover the money Pietrczak defrauded from her.

BRIEF IN SUPPORT

11. "A motion for continuance should be granted only upon a showing of good cause." *Gipson v. Arkansas Dep't of Hum. Servs. & Minor Child., 2019 Ark. App. 444, 4, 587 S.W.3d 248, 251 (2019)* "Lack of diligence by the moving party is sufficient reason to deny a motion for continuance." Id.

12. It was an abuse of discretion for the Court to allow for a continuance after the movant had opposed a continuance of the same trial just five days earlier, Hammett withdrew her motion for continuance in the reply and Plaintiff had not complied with the order to deliver his exhibits to the court reporter.
13. Now Plaintiff knows Hammett's case, as hastily as it was put together, but Hammett does not know what possible reason Plaintiff will oppose her. No valid case was stated in the Plaintiff's pleadings.
14. In Gipson, "Appellant did not move for continuance until the beginning of the termination hearing, which demonstrated a lack of diligence sufficient to support the denial of the motion."
15. "Additionally, we will not reverse absent a showing of prejudice from the denial of the motion for continuance." Id. Here, Plaintiff was given a continuance for the specific purpose of serving summons on the second defendant or filing a written motion for extension of time to do so. In the 20 days since the hearing was continued, the Plaintiff has not prepared the summons, asked the Clerk to issue it, or dropped it in the mail to either of Hammett's two known valid addresses.
16. Not only did Mr. White seem to know the Court was going to deny the motion to deem requests admitted, the Court seemed to know Mr. White was going to ask for a continuance on August 4, even after opposing the continuance on July 30. The Court did not impanel a jury.
17. Also, the Court continues to call Hammett by the name "Laura Lynn", just as Pietrczak's attorney calls her. Hammett broke up with Pietrczak in May 2016 and married James M. Hammett, in the eyes of God and the laws of the State of Arkansas, in 2019. The Court asked Hammett what name she

preferred in the hearing of August 4, 2021 and agreed to call Hammett by her legal name.

18. It looks like Mr. White prepared the Order of August 20, 2021, even though he did not file a proposed order. The Order refers to "Laura Lynn" and the caption omits Hammett's counterclaim.

19. Because there is an appearance of collusion between the Court and Plaintiff's counsel, there is a manifest injustice in allowing for any further discovery after August 4, 2021.

WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays that her Motion to Strike Plaintiff's Untimely Responses to Request for Admissions be granted, and for all other further and proper relief to which she may be entitled.

This 24th day of August, 2021.

Respectfully submitted,

/S/ Laura Lynn Hammett

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Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on August 24, 2021 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Motion to Strike Plaintiff's Untimely Responses to Request for Admissions and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 24, 2021 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION FOR RECONSIDERATION OF THE ORDER TO STRIKE ALL EXHIBITS FILED BY HAMMETT AND BRIEF IN SUPPORT

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Hammett"), in pro se, and for her Motion for Reconsideration of the Order to Strike All Exhibits Filed by Hammett, states as follows:

1. The Court filed an Ex Parte, Sua Sponte Order to Strike all exhibits filed by Laura Lynn Hammett ("Hammett"). It included all exhibits attached as exhibits to her Answer and Counterclaim filed June 10, 2021, her Motion for Continuance filed June 10, 2021, her Motion to Order the First Set of Requests for Admission Propounded to Plaintiff as Deemed Admitted filed July 27, 2021, and twenty-four exhibits filed as proof of submission on August 2, 2021. The Order to Strike was filed on Friday, August 20, 2021 at 4:25 PM.
2. The Court violated Hammett's Constitutional right to Due Process by issuing her Draconian order.
3. The Order to Strike has several errors consistent with errors repeated by Plaintiff's counsel William Z. White. Hammett is called "Laura Lynn" in both the caption and the body of the order, despite Hammett's repeated and laborious disambiguation from her legal name, "Laura Lynn Hammett".
4. The caption omits any mention of Hammett's counterclaim against Pietrczak. Simultaneously with the Order to Strike the Court filed an order dismissing Hammett's counterclaim without prejudice.
5. And, like Mr. White's motions and responses in this case, the Order to Strike is devoid of citation to legal authorities, other than blanket titles, such as "Arkansas Rules of Evidence and Procedure".

6. The Court made omissions that put a deceitful spin on some sentences. For example, in paragraph 2, the Court wrote "It was evident on that date, the case was not ready to proceed."

7. Plaintiff filed a motion for continuance on June 10, 2021 because it was evident the case was not ready to proceed. The Court waited until the day of the trial, after Hammett withdrew her request to continue because she miraculously prepared herself to proceed, to grant the Plaintiff's oral motion for continuance made that morning. The Plaintiff was unprepared to the point that he had not had summons for one defendant issued yet.

8. In paragraph 4 the Court omitted words such as "the same" when she stated "[] Laura Lynn, however, also filed exhibits with the circuit clerk's office." Hammett filed the same exhibits through eFlex as she gave to the court reporter on August 2, 2021, because even though the real show was yet to come, Hammett's intuition told her the Court and her staff were going to falsify the record. Here, the Court is trying to abolish all Hammett's exhibits from the record, through a court order!

9. None of the exhibits were labeled as "evidence" or "published".

10. As enumerated in the brief below, incorporated herein by reference and vice versa, all the exhibits filed by Hammett were acceptable as attachments to pleadings and motions and some even required. Moreover, most pleadings and motions filed by high paid attorneys also have exhibits attached. And even Mr. White attached exhibits to the Complaint in this case. When asked in the hearing about if he had evidence, he said something to the effect of just the exhibits attached to the complaint. (The transcript has not been given

to Hammett as of this writing, even though it was ordered and paid for twenty days ago.)

11. In fact, a few of Hammett's exhibits the Court struck from the record are also exhibits to the complaint, such as the partnership agreement (Complaint exhibit 3) and the deed from Micheal Pietrczak to the Rural Revival Living Trust, dated March 22, 2016 (Complaint exhibit 6).

12. It is possible the Court meant "stricken from the record" in some legal sense other than plain language. There was no motion made to strike the exhibits, so Hammett, a layperson, did not have 10 day plus weekends to research the legal meaning of the phrase.

13. The Court did not make a similar order or include the Plaintiff's exhibits in the order to have all Hammett's exhibits "stricken from the record".

14. Hammett intended and still intends to enter exhibits at trial after laying a foundation and then asking for publication. Hammett is aware that unless a party formally offers and introduces the document or object into evidence at a trial or hearing in the district court, the appellate court usually will not view it as evidentiary proof, even though the record may physically contain it as an exhibit or appendix to a pleading or memorandum on file.

15. In this case, it is Plaintiff who failed to submit exhibits to the court recorder no more than 24 hours before trial, and therefore has no potential evidence to enter into the record.

16. But neither party should have their exhibits removed from the physical record, if that is what the Court meant by "stricken from the record".

BRIEF IN SUPPORT

17. This brief is incorporated into the motion by reference and vice versa.

18. This Court has entered Orders dismissing Hammett's counterclaim but not Plaintiff's claims against Defendant "Laura Lynn". As the case remains pending against some Defendants, this Court retains power to revisit any previous Orders. Ark. R.Civ.P. 54(b).

19. "While the Arkansas Rules of Civil Procedure do not formally recognize a 'motion for reconsideration,' the motion is regularly used in Arkansas trial practice. Generally, such motions can be viewed as a motion for judgment notwithstanding the verdict under Ark. R. Civ. P. 50, a motion for additional findings under Ark. R. Civ. P. 52, a motion for new trial under Ark. R. Civ. P. 59, or a motion to correct or modify a judgment under Ark. R. Civ. P. 60." Starkey v. Starkey, No. CA08-168, 2008 WL 4735999, at *4 (Ark. Ct. App. Oct. 29, 2008)

20. However the motion is viewed, it furthers justice under ARCP Rule 1: "[These rules] shall be construed and administered to secure the just, speedy and inexpensive determination of every action." Without a different order on reconsideration, the Court's resources will be used for an appeal and retrial after Mr. White gets around to issuing a summons for a non-existent trust.

21. Setting aside the Order to Strike would cure the error that should otherwise be reversed on appeal as an abuse of discretion and as a matter of law.

22. Because there is an appearance of collusion between the Court and Plaintiff's counsel, there is a manifest injustice in allowing for any of Judge Weaver's orders to stand.

23. "Claims of an appearance of impropriety in the actions of a prosecutor or judge, such as can warrant a mistrial, are assessed under an objective standard and turn on the perception of a reasonable person." *Stanton v. State, 2020 Ark. 418, 613 S.W.3d 368 (2020)*

24. "The objective 'appearance of impropriety' standard for determining if the actions of a prosecutor or judge entitle a defendant to a mistrial is designed to promote the public's confidence in the impartiality and integrity of the judicial process." Id Hammett, part of the public, voted for Judge Weaver in 2018, but she believes Judge Weaver lacks all integrity now.

25. The Court's errors are over the most basic law.

26. In the Order filed simultaneously with the Order to Strike, in paragraph 4 in which the Court denied Hammett's Motion to Dismiss, the Court wrote "the motion is incorrect as it misstates Arkansas Rules of [Civil] Procedure Rule 10." Assuming the rules of procedure the Court referred to were the Civil Rules, the Court is admitting it is familiar with ARCP Rule 10.

27. "A copy of any written instrument which is an exhibit to a pleading is a part thereof for all purposes." ARCP Rule 10(c)

28. "Required Exhibits. A copy of any written instrument or document upon which a claim or defense is based shall be attached as an exhibit to the pleading in which such claim or defense is averred unless good cause is shown for its absence in such pleading." ARCP Rule 10(d) Not only can documents be attached as exhibits, they shall be attached in certain cases.

29. "Section (d) marks a deviation from FRCP 10 in that the attachment of exhibits is here made mandatory unless good cause is stated in the pleading to justify their absence. This provision is similar to superseded Ark. Stat.

Ann. § 27-1144 (Repl. 1962), except there is no requirement here that the best evidence of a written instrument be filed in the absence of the original. No attempt has been made by the Committee to define good cause which justifies the failure to attach an exhibit to a pleading; instead, the courts are given the discretion to make such determination. **It is the intent, however, that exhibits should be attached to pleadings in all but exceptional cases**." Reporters Note 4, ARCP Rule 10. (emphasis added)

30. "Exhibits which were attached to the pleadings in a case become part of the record and will be considered on appeal." *McMillan v. Morgan, 90 Ark. 190, 118 S.W. 407 (1909*) It is improper for the Court to strike Hammett's exhibits.

31. "An exhibit is part of the record, and when it is the foundation of the action will explain or even control an averment in the pleadings." *Beavers v. Baucum, 33 Ark. 722 (1878*) Hammett can find no case law changing this basic precedent since 1878.

WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays that the Court reconsider its order to strike all exhibits filed by Hammett from the record, unless she means they must be entered and published properly at trial to be considered evidence; the order should apply to Plaintiff, who also attached exhibits to his pleadings; and for all other further and proper relief to which she may be entitled.

This 24th day of August, 2021.

Respectfully submitted,

/S/ Laura Lynn Hammett

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Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on August 24, 2021 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Motion for Reconsideration of the Order to Strike all Exhibits Filed by Hammett and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 24, 2021 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PEITRCZAK **PLAINTIFFS**

VS. **Case No. 65CV-21-20**

RURAL LIVING TRUST ETAL. **DEFENDANTS**

SCHEDULING ORDER

Attorneys: William Zac White
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Nature of Case: REAL PROPERTY-OTHER

Date Filed: April 23, 2021 **Scheduling Hearing**: (As needed)

TRIAL DATE: **MAY 17, 2022 @ 9:00 AM**	**Jury Trial**
Fact Witness Depositions	**February 7, 2022**
Plaintiff Expert Disclosure Deadline	**February 8, 2022**
Defense Expert Disclosure Deadline	**March 11, 2022**
Plaintiff Expert Witness Depositions (completed by)	**March 14, 2022**
Defense Expert Witness Depositions (completed by)	**April 26, 2022**
Discovery Cut-off (**30 days** before trial)	**April 18, 2022**
Witness Lists Exchange	**April 26, 2022**
Motions Due	**April 11, 2022**

Stipulations Due	**April 18, 2022** (provided to the Court)
Exhibit List	**April 18, 2022** (provided to the Court)
Other: Motions *in limine* or additional motions due	**April 18, 2022**
Pre-Trial	**May 3, 2022** **9:00 AM**
Jury Instructions	**May 11, 2022**

Counsel must attempt to reach agreements where possible. Instructions must be submitted via e-mail in an editable format to tammy.weaver@faulknercounty.org no later than 9:00 am.

IT IS SO ORDERED.

Date: 08/25/2021

Hon. Susan Weaver
Circuit Judge

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PEITRCZAK **PLAINTIFFS**

VS. **Case No. 65CV-21-20**

RURAL LIVING TRUST ETAL. **DEFENDANTS**

AMENDED SCHEDULING ORDER

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Exhibit List	**April 18, 2022** (provided to the Court)
Other: Motions *in limine* or additional motions due	**April 18, 2022**
Pre-Trial	**May 2, 2022** **9:00 AM**
Jury Instructions	**May 11, 2022**

Counsel must attempt to reach agreements where possible. Instructions must be submitted via e-mail in an editable format to tammy.weaver@faulknercounty.org no later than 9:00 am.

IT IS SO ORDERED.

Date: 08/26/2021

Hon. Susan Weaver
Circuit Judge

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN (NOW HAMMETT'S) MOTION FOR SUMMARY JUDGMENT ON THE COMPLAINT OF MICHEAL PIETRCZAK; BRIEF IN SUPPORT

Comes Separate Defendant Laura Lynn (Herein referred to as "Defendant" or "Lynn"), in pro se, and for her Motion For Summary Judgment, states as follows:

1. A Complaint styled Micheal Pietrczak v. Rural Revival Living Trust; And Laura Lynn was filed on April 23, 2021 ("Complaint"). The Complaint is incorporated by reference herein as if set forth in full.
2. The Complaint was filed on behalf of Micheal Pietrczak by "Walter Pietrczak, Power of Attorney-in-Fact [f]or Plaintiff, via attorney, William Z. White". (Complaint unnumbered opening)
3. Walter Pietrczak via attorney William Z. White reiterated in Complaint Paragraph 4 "Mr. Walter Pietrczak is the duly authorized agent of the Plaintiff as indicated by the Durable Power of Attorney executed by the Plaintiff and filed of record with the Hot Spring County Clerk on August 1, 2016, at 8:20:33 a.m. within Volume Miscellaneous, Book 0246; Page 0064 - 2 pg(s). See Attached Exhibit 1 - Durable Power of Attorney."
4. Micheal Pietrczak appointed Walter Pietrczak his Power-of-Attorney on July 26, 2016, voluntarily, before Micheal Pietrczak had his debilitating fall from the tree in the home he shared with Walter Pietrczak. (Complaint Exhibit 1, incorporated herein by reference as if set forth in full.)
5. Micheal Pietrczak retained the right to terminate the Power-of-Attorney. (Complaint Exhibit 1, paragraph 11) "The rights, powers and authority of said attorney-in-fact herein granted shall commence and be in full force and effect from date executed below and such rights. powers, and authority shall remain in full force and effect thereafter until termination by an instrument of writing executed by Grantor herein."

6. Micheal Pietrczak terminated the Power-of Attorney and it was not in effect on April 23, 2021 when the present suit was filed by Walter Pietrczak via attorney William Z. White. (See Responses to Defendant's Requests for Admission Propounded to Plaintiff Michael (sic) Pietrczak filed August 20, 2021, Fact 4 and 5) ("Responses") Responses incorporated herein by reference as if set forth in full.
7. "REQUEST FOR ADMISSION OF FACT NO 4: Admit that Mr. Walter Pietrczak was the duly authorized agent of Pietrczak on April 23, 2021, at 11:43:48."
8. Micheal Pietrczak through attorney White responded, inter alia, "to the extent that an admission or denial is required the Plaintiff denies the proceeding request for admission of fact." Walter Pietrczak was not the duly authorized agent, Power-of-Attorney at the time the Complaint was filed.
9. Further, Micheal Pietrczak disavowed the allegations made in the complaint in Request number 5.
10. "REQUEST FOR ADMISSION OF FACT NO 5: Admit that you alleged all the facts alleged in the Complaint."
11. Micheal Pietrczak through attorney White responded, inter alia, "to the extent that an admission or denial is required the Plaintiff denies the proceeding request for admission of fact."
12. Walter Pietrczak had no standing to bring suit on behalf of Micheal Pietrczak at the time the suit was filed. (See brief)
13. Walter Pietrczak and William White wasted the Court's resources, Hammett's resources and apparently, because Micheal Pietrczak appeared at the hearing of August 4, 2021, persuaded Micheal Pietrczak that they could prevail on the

untenable complaint. Micheal Pietrczak submitted to the jurisdiction of the court on that day in regard to Hammett's counterclaims.

14. If Micheal Pietrczak files a similar complaint on his own behalf, or reinstates Walter Pietrczak's Power of Attorney and Walter Pietrczak files another complaint on behalf of Micheal Pietrczak, such complaint must be dismissed. This is the second dismissal of the same complaint and therefore it is on the merits, with prejudice. Further, the statute of limitations has run on each cause of action.

BRIEF IN SUPPORT

15. A man who purported to file a complaint on behalf of his deceased wife, through an attorney "lacked standing to bring such action, thereby rendering original complaint a nullity, where husband had not been appointed as executor of wife's estate at time of filing of action and there were other heirs at law. A.C.A. § 16-62-102." *McKibben v. Mullis, 79 Ark. App. 382, 90 S.W.3d 442 (2002*)

16. "Husband's subsequent appointment as executor of deceased wife's estate did not relate back to filing of original wrongful death complaint, where original complaint was a nullity. A.C.A. § 16-62-102." *Id.*

17. Because Walter Pietrczak did not have standing when the Complaint was filed on behalf of plaintiff, the Complaint must be dismissed with prejudice.

This 27th day of August, 2021.

Respectfully submitted,

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on August 27, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) Motion For Summary Judgement on the Complaint of Micheal Pietrczak and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 27, 2021 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK — **PLAINTIFF**

v.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN — **DEFENDANTS**

LAURA LYNN HAMMETT — **COUNTER-CLAIMANT**

v.

MICHEAL PIETRCZAK — **COUNTER-DEFENDANT**

Exhibit 2

LAURA LYNN HAMMETT'S AFFIDAVIT IN SUPPORT OF THE MOTION TO SETTLE THE RECORD RE: TRANSCRIPT OF AUGUST 4, 2021

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

LAURA LYNN HAMMETT'S AFFIDAVIT IN SUPPORT OF THE MOTION TO SETTLE THE RECORD RE: TRANSCRIPT OF AUGUST 4, 2021

1. I, Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett swear that the following is a true and correct account of my recollection and notes taken during the hearing of August 4, 2021, as it differs from the Court Reporter's transcription.
2. At page 20, line 24, I agree the Court left for a few minutes. I also agree the Court said she spoke with counsel at the AOC.
3. I believe the Court told us what the counselor said to her. This is given for what the counselor said, not the truth of the matter. And, it was a waiver of any attorney client privilege, so we may ask the counselor what he told Judge Weaver.
4. According to what Judge Weaver said, the AOC told her that Plaintiff must put the motion for extension of time to serve summons in writing and give me an opportunity to respond in writing.
5. I believe my recollection is true, because I said this to my therapist Jamie Stacks on Thursday August 5, 2021 during my regular session.
6. I inquired of Ms. Stacks at my session on Thursday August 26, 2021 and she repeated what I said almost verbatim to my recollection.
7. Ms. Stacks is on vacation this week, but I will ask for an affidavit the following week.
8. I have no recollection of the Court making the oral order at lines 19 to 25 on page 24. It is possible the Zoom sound cut out, but is inconsistent with the oral order I did hear as in the paragraphs above.
9. Also, on page 11, line 16, where the Court Reporter indicates she did not hear something, Mr. White said, "I'm not going to walk you through this." I

think there was more belittling comments, but this one I wrote down with quotation marks.

10. Mr. White also said I was "running and hiding" from being served summons, but those words don't appear in the transcript. The characterization of me was a fiction. I actually answered on my own behalf without being served summons and was waiting to get an attorney to represent the Rural Revival Living Trust the moment a summons was issued.

11. Judge Weaver made several orders against me with no argument from Plaintiff and sometimes no motion for the order. For example, on August 20, 2021, Judge Weaver ordered my counterclaim dismissed. There was no Plaintiff's answer to the counterclaim. There was no Plaintiff's motion to dismiss the counterclaim. There was no notice given by the Court that she was considering dismissing the counterclaim. Sua Sponte, no order to show cause why not, the Court ordered:

12. "On July 13, 2021 Separate Defendant/Counter-Plaintiff Laura Lynn filed a Motion for Default Judgement. In review of Defendant/Counter-Plaintiff's Counter-Claim, it is evident is it (sic) not in compliance with Arkansas Rules of Civil Procedure Rule 8. Therefore, said motion is denied and Counter-Claim is dismissed without prejudice." There was no further explanation given as to how the counterclaim was not in compliance with Rule 8.

13. I have determined myself a possible error in the counterclaim and will amend it. I incorporated the answer into the counterclaim, thinking that would state that jurisdiction and venue were proper. Actually, I denied paragraph 5 of the complaint, regarding jurisdiction, because the Plaintiff claimed "The Searcy County Circuit Court shall have original jurisdiction of

all justiciable matters not otherwise assigned pursuant to the Arkansas Constitution pursuant to Ark. Code Ann.§ 16-13-201." The code cited gives jurisdiction to the several circuit courts. The Searcy County Circuit Court does not have jurisdiction of "all justiciable matters". I did submit to the jurisdiction of the Searcy County Court by filing my counterclaim.

14. Judge Weaver appointed a guardian and revoked a living trust for one of Mr. White's other clients without a proof of service of summons in the case 71PR-19-91 - ZELDA HARRELL WALLS. Judge Weaver seems to look out for the interests of Mr. White's clients more than for self-represented or litigants who have not been invited to her court.

15. If Judge Weaver is the only person who listens to the tape of the hearing, I fear she will only hear what Mr. White wants her to hear.

16. I swear under penalty of perjury under the laws of the Great State of Arkansas and the United States of America that the foregoing is the truth to the best of my knowledge and belief.

August 29, 2021

/S/ Laura Lynn Hammett

Laura Lynn Hammett
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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit 1

TRANSCRIPT OF AUGUST 4, 2021

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **CASE NO. 65CV-21-20**

RURAL LIVING TRUST; AND
LAURA LYNN **DEFENDANTS**

BE IT REMEMBERED, that on this 4th day of August, 2021, a day of the regular term of the above-styled Court, the above and foregoing cause came on for hearing before the Honorable Susan Weaver, the regular judge, present and presiding, and the parties present announcing ready for trial, the following is a transcript of the proceedings had via Zoom:

APPEARANCES:

On Behalf of the Plaintiff:

Mr. William Z. White
Attorney at Law
706 West Quitman Street
Heber Springs, Arkansas 72543

On Behalf of the Defendants:

Ms. Laura Lynn Hammett - *Pro Se*
500 Amity Road, Suite 5B #306
Conway, Arkansas 72032

P R O C E E D I N G S

THE COURT: This is going to be 65CV-21-20.

MR. WHITE: Correct, Your Honor.

THE COURT: And this is showing that it's set for a final hearing. And there have been several motions filed by Ms. -- do you prefer Hammett?

MS. HAMMETT: Hammett, yes. I was using Lynn only because that's the name that they used, and it's on a lot of the evidence because it was from before I was Hammett. But I've been married, and that's my name. We can use Lynn if that's easier.

THE COURT: No, that's fine. I just wanted to know what -- how to address you, that was it. And anyway, so I see there have been several motions filed by Ms. Hammett. And then there have been more motions filed, as of yesterday, by Ms. Hammett. And we have been -- we had a long day yesterday, so I have not looked at anything that was from yesterday that got filed. So I don't know, Mr. White or Ms. Hammett, how you all want to address all the motions that are pending.

MR. WHITE: Your Honor, we are set for a final today. I went back and looked at the calendar and looked at the Rules of Civil Procedure. It's my position that any pleadings filed after July 15th

violates Rule 6, that they're supposed to be 20 days prior to the hearing. And, technically, with all these motions that have been filed, I'm still within my response time. I'm fine with filing responses if the Court wants to push it so that I can; otherwise, I would -- my suggestion is is that they're untimely and that they not be responded to. The only things that meet the time criteria of the Rules would be my Complaint, their Answer -- or her Answer, and Motion for Continuance, Motion for Default Judgment. But the Motion for Continuance Ms. Hammett, her second filed response -- or reply on -- first, on August 2nd at 17:57:03 and then on August 2nd at 18:24:52, waive the continuance.

So really, in my mind, the only thing left is the Complaint, and the Answer, Counterclaim, Motion for Default. The -- everything else I believe is untimely, unless the Court wants to continue so that I file responses to all of these.

THE COURT: Okay. And let's talk about that. You said Rule --

MS. HAMMETT: Your Honor, may I answer?

THE COURT: Hang on. Mr. White, You said Rule 6? Which rule did you quote me about the 20 days?

MR. WHITE: 6(c), "A written motion, other than

one which may be heard ex parte, and notice of the hearing therefore shall be served not later than 20 days before the time specified for the hearing." Since this has been set for a final since we filed the initial complaint, I believe, the 20-day rule would kick into effect. That deadline would be July 15th. I am aware, from previous cases, that when I'm in my response timeframe, if those motions are ruled upon then it's -- there's a case that says that it is a misprision of the Court, and that they have to be set aside. I don't like to do that, but I also don't like to see this motion after motion the day before the hearing. I'm in here trying to prep all day yesterday, and I just keep getting more and more motions. I didn't even bother -- I read them, I didn't even bother to respond to them. And I didn't have time to respond to them. So if you want responses -- excuse me, if she wants responses, that's fine. And I also say that applies to the discovery request that she is asking to be deemed admitted. They were filed on July 21st, which is 14 days ago. I technically have 16 more days to respond to those requests for admissions.

So, I mean, everything, except for what I mentioned that I believe is on the docket today or is

timely filed, is set aside. And if you want me to read through the pleadings I believe that are set aside, I can do that. Although, the stack is -- the stack is not that bad if you want me to read through them.

THE COURT: Not -- not just yet. I was just reading over -- I have never had anybody bring that up, Mr. White. I think that you just may have quoted my favorite thing that I'm going to use for the rest of my life now.

MR. WHITE: Trust me, I've had this happen before, Judge. And I --

THE COURT: All right. Ms. Hammett, response?

MS. HAMMETT: Yes. The things that I filed yesterday was a motion to dismiss, which is allowed right up until the trial. I filed a motion in limine to exclude any evidence that he didn't file timely. Because he was supposed to file by 24 hours prior to the hearing and did not file anything and didn't give me copies of anything, so I don't know what his evidence is going to be. I filed a motion for reading jury instructions, including a special. It's just three instructions, they're very straightforward. They're the instructions for the model jury instructions in regards to breach of

contract and the deceit, which are in my counterclaim. And I -- the only thing that I varied from the model jury instructions was I added some comments that were included -- Supreme Court Committee on Jury Instructions. And I'm not an attorney. And this is my first trial, so I'm sorry if I botch, like, the name of the committee or something --

THE COURT: Okay. Well, Ms. Hammett, you're not really making a response to what his argument was about the Rule 6 and the timing. And you're not -- like, this isn't a jury trial, so there's not a need for jury instructions. And also --

MR. WHITE: I should say, Judge --

MS. HAMMETT: (Inaudible.)

MR. WHITE: -- the rule I cited to the --

THE COURT: Mr. White, I can't hear you.

MR. WHITE: I said the rule that I'm citing for the request for admissions is Rule 36, that provides that unless -- the matter is admitted unless, within 30 days after service, that we filed our responses. We're on day 14 of that 30 days, and that timeframe is included within Rule 36.

THE COURT: Right. I was talking about just Rule 6, though, with all the motions themselves --

MR. WHITE: Okay.

THE COURT: -- being filed.

MR. WHITE: Well, part of the motions is to deem the request for admissions filed 14 days ago admitted, which is obviously untimely under the rules that I'm citing.

THE COURT: Okay. And --

MR. WHITE: And I don't mind addressing those --

THE COURT: Well, we may not need to get there yet.

Ms. Perry, did you get the exhibits from Mr. White?

COURT REPORTER: No, ma'am, he said that he filed them with his -- he filed them on eFlex. So I don't have any for -- so that's totally -- doesn't apply.

THE COURT: Okay. I see those on there, I just didn't know if there was anything else. And so I just knew that Ms. Hammett said they weren't timely, but they are. They were filed August 2nd.

MR. WHITE: No, ma'am, my exhibits were filed with the complaint initially.

THE COURT: And there's those as well, right. But I was looking at the exhibits -- there's a list of them that were all filed on the 2nd --

MS. HAMMETT: Those are mine.

MR. WHITE: Yeah, those are -- those are Ms. Hammett's. I didn't --

THE COURT: Those are --

MR. WHITE: I've looked through them. I think most of them will be --

THE COURT: I'm so sorry.

MR. WHITE: I don't know if I'm reverbing and there's a lag?

THE COURT: It's -- it's like -- I don't know if it's because you're back further away from it, it takes it just a second. It's like I can't hear you, and then I can. It's like you're muffled just at the very start when you talk, but that's it.

MR. WHITE: I'm sorry, Judge, I'd pull it closer or else I can't get Mr. Pietrczak on the screen.

THE COURT: You're -- I can hear you talking, it just takes it a second to pick it up. And then once it picks up, you're fine.

MR. WHITE: I understand, Judge.

THE COURT: Let me -- okay. So, Ms. Hammett, in regard to his response -- I'm sorry, his argument about your motions not being timely because of the 20 days prior and also the -- his time to respond is still within, what, I think he said 16 days he has

left, or 14 days. Either way, what is your response to those?

MS. HAMMETT: Okay. The requests for admissions were served on June 22nd, and they were served by mail. And so his responses were due sooner. I filed them later, but they were served. And the rule on rules for admission, I don't recall offhand the number, I think it's 26 or -- anyway, the rule about the admissions is that you have 30 days after they're served. And I added the three days, and that's all in my reply.

The things that I filed yesterday, besides the ones that I mentioned to you already, I filed a reply to his response, which he called a reply, but it's a response to the request for admissions. And he also filed yesterday -- or on the 30th of July, and I didn't get it until Monday because the clerk was backed up and didn't post them until Monday. But he made responses to the request for admissions, which was untimely. He made a response to the motion for default judgment, which was untimely; and made a response -- let's see, he's got request for admissions, default judgment -- and he made a response to the motion for continuance, which was untimely. The default judgment was timely, and I

replied timely.

So all of that. And then this Rule 6, I am not familiar with it. If you give me a moment, I'll read it. What --

MR. WHITE: Judge --

MS. HAMMETT: -- point to exactly that says that they're -- everything was due before the --

MR. WHITE: You're -- you're practicing at the level of attorney, so you figure it out. I've never been threatened with Rule 11 sanctions more on any case than this one. I'm not inclined to give you any legal advice or help you in any way.

MS. HAMMETT: I'm asking what court rule you are referring to that -- and I didn't catch it when you said it. I'm just asking you to repeat, please.

THE COURT: He -- he -- it was Rule 6 and Rule 36.

Mr. White, I have a quick question. And, again, because I'm trying to go through all of this real quick. I -- so this is again -- and I just want to make sure that I'm understanding, Mr. White, so -- just because there's been so much, so much. Is there proof of service anywhere? Do you know if -- where it is? Just -- and I'm only asking that so it makes it quicker for me to find it.

MR. WHITE: Proof of service of what, Judge?

THE COURT: Well, I know that she was saying that she didn't get served. But I believe that she waives that at the time that she files something.

MR. WHITE: Are you talking about initially -- (inaudible).

THE COURT: Yes.

MR. WHITE: So --

COURT REPORTER: Wait. I'm sorry. I'm sorry, Mr. White, I have no idea what you just said. Could you -- could you scoot up to the computer a little bit closer, please? I don't need to see your client right now, I just need to be able to hear you.

MR. WHITE: (Inaudible.)

COURT REPORTER: Judge, he -- you -- he asked you a question, and you said yes, what he -- you were referring to. And I didn't understand what that was.

THE COURT: I don't remember what he asked now, but the answer was yes. What was it you just asked me, Mr. White? I'm sorry.

MR. WHITE: You indicated a certificate of service. I was asking which certificate of service you were referencing.

THE COURT: Well, on -- because I'm showing that it's --

MR. WHITE: Can you hear me okay?

THE COURT: Yeah, it's -- again, it's just when it starts. It's like you need to go, "Test," and then do it. I don't know.

COURT REPORTER: I'm having a really hard time understanding Mr. White, Judge.

THE COURT: Okay. Well, he's not talking yet, so. All right. So, anyhow, I'm talking about --

MR. WHITE: (Inaudible.)

THE COURT: -- the service of --

MS. HAMMETT: Service of summons --

MR. WHITE: Do you want to know all of the --

MS. HAMMETT: Service of summons was never made on any --

THE COURT: Ms. Hammett, I'm not trying to be ugly or -- I'm not trying to be rude, but I'm talking to Mr. White; okay? So -- because this hard enough as it is on Zoom, I'm going to ask you not to interrupt, please.

So, Mr. White, anyway, I was looking for a service on any of the parties. I know that we've got -- because it was against the Trust and then also Ms. Hammett. Now, she made an appearance because she said she found it on Court Connect. And I think that she probably has waived the service issue, because

she has made an appearance and filed multiple, multiple, multiple pleadings. But as far as the Living Trust, she's not an attorney and can't represent them.

MR. WHITE: Correct, Your Honor. We asked Ms. -- she is the trustee. I believe it's her alter ego. And under Rule 18, I believe it's the real party of interest. I asked her on June 10th, via email, whether she would accept service for the Trust and for herself. She denied -- she never responded. We hired a process server in Searcy County to try to track her down. She has evaded service, and I am still 18 days away from my 120 days. So if necessary, I could get her -- if the Court would order today to make her accept service and provide an address we could actually find her at, I've still got 18 days to serve her as trustee of the Trust. I will say, that in one of her pleadings -- no, excuse me, one of her emails to me, she has asked that -- she had a buyer for the Lick Fork property and would like the trustee to distribute the entirety of the corpus of the Rural Revival Living Trust to me is an individual so I may proceed with the sale. She pretty blatantly disregards any formal structure or protection of the Trust. But in the event that

that's required as a compulsory party under 13 -- Rule 13, excuse me, I still have 18 days to serve her as trustee, if necessary. But I know she will go into hiding and refuse service again. I agree with you that she waived service upon herself. In fact, there is a case, City of *Tontitown v. First Security Bank*, it's a 2017 Ark. App. 326, that "a defendant may waive invalid service of process by seeking affirmative relief and thereby subjecting itself to the jurisdiction of the court." And the affirmative relief at least began with the counterclaim, and then she has continued to seek affirmative relief since then. So my impression is I do not need to have her served personally at this point in time. If the Court determines that the Trust is not her alter ego, I'm still within my timeframe to serve her.

THE COURT: Does she not live at the property that we've been -- that's -- no, okay.

MR. WHITE: No, ma'am. We found that out when we hired a process server to try to serve her. And it's -- I've got to be honest with you, it's hard to find process servers in Searcy County.

THE COURT: It's hard to find a lot of things in Searcy County.

MR. WHITE: It is. The Sheriff's Office is the

only person we know to use, and they don't really take a big active approach to it.

Madam Reporter, is it any easier to hear me?

COURT REPORTER: Yes, sir, much better. Thank you.

MR. WHITE: Yes, ma'am. You all get to see the top of my head, but I'm trying not to --

COURT REPORTER: No, actually, I -- I can see all of you, and I can see your client too.

THE COURT: Yeah.

MR. WHITE: Okay, good. Good.

THE COURT: All right. And, Ms. Hammett, yes, okay, you may respond.

MS. HAMMETT: Yes, thank you. So there is no summons issued for the Trust. And I said in the email to him, he didn't read the entire thing, it was some kind of a -- you know, trying to reach out for settlement, which he was not open to. He didn't respond at all. And I said that the Court would not want me to transfer the property, and so I was asking him if there was some way that he could settle this.

In his certificate of service on April 26th, he checked off and marked -- it said that I was -- that he hereby certifies that I was served by hand-delivery via process server. That's not true. I

wasn't at the property, and I don't use the property. I've just been trying -- you know, waiting and trying to make an agreement with them so that the property could be sold. I --

MR. WHITE: You -- (inaudible.)

COURT REPORTER: Ma'am, ma'am, I can't -- Ms. Hammett, Ms. Hammett, I'm having an audio issue -- your audio is clicking on and off. So is anybody else hearing static?

MS. HAMMETT: I'm sorry.

MR. WHITE: It's staticky on my end, Judge.

COURT REPORTER: Okay.

MR. WHITE: I know the Court is doing this on a Zoom hearing to help us out. I almost would rather, at this point, have it in-person if we can.

MS. HAMMETT: I would too. That would be great. In response, he says that my -- that I've been avoiding service. He actually --

MR. WHITE: Absolutely true.

MS. HAMMETT: -- put my home address on one of his pleadings that I received on Monday. And so he knows what my address is. And my --

MR. WHITE: The address --

MS. HAMMETT: -- address is online on the Assessor's website on the tax roll for this property

that we're fighting over. I have my home address on that on the Assessor's website. It's also in my exhibits multiple times. And so I have not dodged service in any way. And the -- as trustee, the Trust has not dodged service. There has been no summons issued, and I've mentioned that several times in my pleadings. And he hasn't corrected that. So, I mean, all he had to do was call the clerk in Searcy County and ask her to issue the summons, or he could have done himself on eFlex. And he didn't do that. This isn't the first time that Mr. White has done things like this. He had the case --

COURT REPORTER: Ms. Hammett, Ms. Hammett, you need to face your computer. I can't hear you when you turn away.

MS. HAMMETT: I'm sorry.

THE COURT: And just to address some of the things that you just said, Ms. Hammett, he's still within the 120 days, like he had said.

MR. WHITE: On June 10th, I asked -- June 10th, I asked Ms. Lynn -- I guess Ms. Hammett, I said, "You recently filed an answer to our complaint. Would you accept service through email of the original documents?" That is the only email she didn't threaten me with Rule 11 sanctions, I think, that I

have from her. I have also been threatened that she's going to file a lawsuit for malicious prosecution, several times, Rule 11 sanctions over and over. I mean, I'm kind of over it.

MS. HAMMETT: It is -- it is malicious prosecution.

MR. WHITE: (Inaudible.)

MS. HAMMETT: And, Judge Weaver, you are the -- oh, here's the case. On Zelda S. Walls Living Trust dated July 25, 2019, Donna Bryan --

MR. WHITE: Objection to relevance.

MS. HAMMETT: -- Successor Trustee --

MR. WHITE: Objection to relevance.

MS. HAMMETT: -- vs. Richard Gawenis --

MR. WHITE: Objection to relevance.

THE COURT: Ms. Hammett -- hang on, Ms. Hammett, he made an objection to relevance. What is this case that you're citing?

MS. HAMMETT: It's not authoritative, but it's persuasive. It's a case that you presided over --

MR. WHITE: It's a case under review --

MS. HAMMETT: -- and that Mr. White --

MR. WHITE: -- with the --

MS. HAMMETT: -- was the counsel on.

THE COURT: Ms. Hammett --

MR. WHITE: It is a --

THE COURT: -- what -- is this a Supreme Court case, a Court of Appeals case, what type of case?

MS. HAMMETT: It's a -- it's a trial court case that Mr. White is appealing your ruling on right now --

MR. WHITE: (Inaudible.)

MS. HAMMETT: You have a final judgment for the party that's in my position --

THE COURT: Right. But what I'm asking you is what you're -- if what you're quoting is a circuit court case, it's not --

MS. HAMMETT: Yes.

THE COURT: -- going to -- and it's --

MS. HAMMETT: It's not a --

MR. WHITE: (Inaudible.)

MS. HAMMETT: -- I'm sorry. It's not authoritative, but it is persuasive.

MR. WHITE: Absolutely not it's persuasive. You need to go get another law degree.

THE COURT: Okay. All right. I'm going to step away for just a second. And I'm going to look at something, and I'll be right back.

(WHEREUPON, after a brief recess, the proceedings were resumed as follows, to-wit:)

THE COURT: All right. So, Mr. White, I was looking over your Rule 6 argument, and I'm not certain that the end-all be-all is to deny all the motions. I'm not saying -- but again, this was just the 15 minutes that I just spent in looking it up. But I still think the bigger issue, regardless of that, is the service, or lack of service, on the Trust itself. And I don't find anything that can allow me to force Ms. Hammett to accept service on her. And I even checked with AOC just to double-check myself. And they don't think that I can force that either.

So you are still within your 120 days, as you stated, so I am fine if we want to continue this. And Tammy is -- I just got off of the phone with her. She's not right there by her calendar, so we will have to email you some dates.

MR. WHITE: Judge, she is the trustee. I'm not sure why you can't direct her. But if the AOC says that, I won't argue with you over it.

THE COURT: Yeah. I'm just trying to find -- and, Mr. White, if you find anything, any law that's contrary to that, I will always entertain -- entertain looking at that. Like I said, you made an argument on Rule 6 I've never had anybody bring up

before. I liked it, so I want to make -- I just -- what I don't want to do is -- obviously, everything I'm thinking about right now is trying to, for appeal purposes --

MR. WHITE: Probably, too, Your Honor, since I have 18 days with that, so I'll file a motion to extend time to serve the Trust. In the event that Ms. Hammett continues to evade service, I'll hire a private investigator if I need to in Conway to find her. I understand she's saying that this address that she resides at, the Amity whatever --

THE COURT: So is this Gold Lake Club Road, is that your address, Ms. Hammett?

MS. HAMMETT: Yes. And Mr. -- yes, that's my address. And Mr. White used that address on some of his pleadings on July 30th, so he is aware --

THE COURT: Okay.

MS. HAMMETT: -- of my address.

THE COURT: Okay.

MS. HAMMETT: And I object to a continuance, for the record. I object to a continuance on -- because I did request a continuance and was not granted such. And Mr. White insisted that we are having the trial today. I asked him through emails if he would continue, and he refused. I have submitted that as

an exhibit in one of my -- actually, in the motion for continuance. He said --

MR. WHITE: You have to understand, after you threatened me with Rule 11 sanctions many times now, I am not going to extend you any courtesy. I'm going to treat you as an adverse party in the truest sense of the word.

THE COURT: All right. So, Ms. Hammett, I didn't deny your request, and I did not grant your request. If I recall, I think you contacted our office, and you were even informed of such that I was waiting on replies and responses. So, you know, the -- so you asked for a continuance, I never formally denied it. And now you're saying you don't want one now that you're getting one. And I feel like it's going to be proper, based on some of the things -- you filed things as of yesterday that I have not even had time to review. And I'm not -- I don't know what Mr. White's schedule is like, but the last two days, I have had full days of court. So I have not had time to go through all of those, and I don't even have to respond to them like he does. So you were asking for a -- you asked for a continuance. I didn't deny it, I didn't grant it, I just left it until we could get here because there is a very, big,

messy case here; and I felt it was going to be easier to do this to talk to all the parties than it was for us just to keep doing all these motions, or what have you. I say "us" -- you all, I guess, I don't do the motions. But you know what I mean.

So I do think a continuance is going to be proper for several reasons. One, we addressed the issue of the service, which I believe Mr. White was talking about on whether or not you, the trustee, can accept it or not. But since you filed -- I was looking at your filings are only as you as Separate Defendant, then I do not feel that that would count as the Trust. And he does have time to have the Trust served; okay? And he also has, by law, allowed -- is allowed an extension. And he's letting the Court know he's going to be making that motion.

And I'm assuming, Mr. White, if you want -- and it doesn't matter to me -- normally, I require it to be a motion in writing. But if you want to make that motion orally, which I think is pretty much what you just did, if you want to submit to the Court an order and just in the order say, "upon oral motion of the Court for an extension for 120 days," that's fine too. That will save one less filing to be done in the court file -- or the clerk's file.

Now, that being said, I do not know the date because, like I said, Tammy has stepped away from her desk, and she doesn't have her calendar on her. This is set for half of a day. I anticipate we're going to need a minimum half a day.

And so, Mr. White, what I'm thinking -- and, Ms. Hammett, what I'm thinking is I'll look to see what we have in an afternoon setting. So if we need to go longer, we have the extra time into the evening.

MR. WHITE: Thank you, Judge. Are we going to try to do it -- I mean, COVID is exploding, obviously, in Arkansas. Are we going to try to do it in-person or by Zoom? If we're going to do it by Zoom, I'm going to make sure I've got some different --

THE COURT: I think -- I think in-person would be better for this with the amount of exhibits and everything that we have. And so what we'll do is in-person dates that I'll get --

MR. WHITE: And will we -- will we do that in Searcy County, or is it easier for you in one of your other counties?

THE COURT: Well, we would do it in Searcy County because it's a Searcy County case. So unless both parties want to waive venue and hear it in

Faulkner County or Van Buren County, that would be up to the both of you if you all want to waive venue if there's dates that can be sooner.

MR. WHITE: I do not have a problem with venue. And I'd be willing to have this anywhere, so long as it's -- if it helps the Court's scheduling and makes it happen quicker, I don't care where we go.

THE COURT: All right. Ms. Hammett, how are -- what are your feelings on that?

MS. HAMMETT: Well, so I'm not quite sure that I understand what the next hearing is going to be.

THE COURT: The next hearing will be --

MS. HAMMETT: Is that going to be a trial?

THE COURT: Yes. The next hearing -- this was set for a final hearing today. We're going to continue this final hearing, and it's going to be in-person. And I'm asking, because it is a Searcy County case, would you want to -- and I don't care either way, because I travel regardless -- waive the venue if you can get in on a sooner date? Because I can hear it in Faulkner County, Van Buren County, or Searcy County, but only if venue is waived. If not, we'll just stick with a Searcy County date.

MR. WHITE: I just know that Searcy County --

MS. HAMMETT: I will waive venue.

THE COURT: Okay.

MS. HAMMETT: I'm sorry. I will waive -- waive venue. I actually prefer Faulkner County because that's my -- where I live. And I know that's your home base.

I -- I want two things. One, is I have all of those motions, like my motion to -- for default judgment and the motion for -- to have the answers to be -- to have my request for admissions admitted. And many of those motions might make a trial moot because they're dispositive. And so if -- you know, you can rule on those before we have the trial, it would be helpful, maybe to save court resources --

THE COURT: Ms. Hammett, I -- I don't mean this with disrespect, but I don't need you to tell me how to do my job. Those would have been ruled upon before today -- everything has been filed so last-minute, that he gets responses. I can't -- I mean, I'm not trying to be ugly, I will handle the case accordingly. And that's what I've been trying to do. I'm being --

MS. HAMMETT: I mean -- I mean no disrespect. I --

THE COURT: That's fine. Either way, let's just move on. We -- I've already said what I'm going to

do. We're going to continue this case. The motions are there. I'm going to assume Mr. White is going to respond to anything he hasn't responded to. And I will have Tammy email both of you with some dates, and I will include both -- all the counties. I know that Ms. Hammett was clear on the record that she would waive venue. And, Mr. White, I believe that was you as well? And he's giving me a thumbs up, so. Any questions?

Yes, Ms. Hammett?

MS. HAMMETT: Assuming that I am served as the trustee of a trust, then I'm going to need to hire an attorney and have that attorney, you know, come up to speed. So I don't know how quickly you were trying to get us back in.

THE COURT: Well --

MS. HAMMETT: But I --

THE COURT: -- with as long as this case is going to take, it's not going to be just overnight. Plus, I am very mindful of the fact that once you're served, you have 30 days to respond. So all those factors will be taken into consideration when we look at dates. I mean, it would take at least 60 days to even get one set. And that would be more than enough time to get you served and get -- have your attorney

be able to respond to something. And if they need a continuance, they'll know what to do, and how to contact the office, and what motions to file, and things like that.

MS. HAMMETT: Okay. COVID -- COVID knocked out my cash resources, and I'm trying to liquidate some property. It might take me a while to be able to hire an attorney. I did go to Legal Aid, and they could not take the case because of a conflict of interest with Mr. Pietrczak. So, apparently, they were helping him at some point.

THE COURT: Okay. These are issues that I -- the Court really probably doesn't need to be involved in; okay? Those are all things that can be done by motion. We don't know when they are going to be set. We don't -- it may be six months. I have no idea what the calendar is going to look like for -- because I'm going to set this for six hours. It's set for four, but I'm going to set it for six just to make sure we have extra time. Because it's already been an hour now, and we have accomplished nothing, so.

All right. Anything else?

MR. WHITE: Nothing from us, Your Honor.

THE COURT: Okay. My TCA will be reaching out

to you all with some dates. Thank you.

MS. HAMMETT: Thank you, Your Honor. Thank you, Your Honor.

(WHEREUPON, the hearing was concluded.)

C E R T I F I C A T E

STATE OF ARKANSAS)
)ss
COUNTY OF FAULKNER)

I, Jana Perry, Certified Court Reporter #762, do hereby certify that I am an Official Court Reporter for the State of Arkansas, First Division Circuit Court, 20th Judicial District, that I was present for the proceedings had in the within-named cause on August 4, 2021. I further certify that the facts stated by me in the caption on the foregoing proceedings are true; and that the foregoing proceedings were reported verbatim through the use of the voice-writing method and thereafter transcribed by me to the best of my ability, taken at the time and place set out on the caption hereto.

WITNESS MY HAND AND SEAL this 24th day of August, 2021.

Jana Perry, CCR
Certified Court Reporter #762

STATE OF ARKANSAS
JANA
PERRY
762
CERTIFIED COURT REPORTER

Jana Perry, CCR - P.O. Box 151 - Greenbrier, AR 72058
jana.perry@faulknercounty.org 501-450-4955

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2021-Aug-29 17:54:55
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C20D01 : 5 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN (NOW HAMMETT'S) AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION TO SETTLE THE RECORD RE: TRANSCRIPT OF AUGUST 4, 2021; BRIEF I SUPPORT

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Hammett"), in pro se, and for her Objection to the transcript of the August 4, 2021 Hearing in this case states as follows:

1. The transcript of the Hearing is inaccurate in several material ways and therefore violates Hammett's Constitutional Right to due process and equal protection under the law. A copy of the certified transcript received by Hammett on August 27, 2021 is attached here as exhibit 1, and the original is available to be entered into evidence.
2. As per the affidavit of Laura Lynn Hammett, attached here as Exhibit 2, the Court, Plaintiff's Counsel William Zac White and Court Reporter Jana Perry colluded to feign an oral order made on August 4, 2021 for an extension of time to issue and serve a summons on Separate Defendant Rural Revival Living Trust that would be contrary to ARCP 4(i)(2), which mandates such motion be in writing.
3. The feigned oral order was reduced to writing and entered by the Court on August 19, 2021.
4. Further, several unprofessional and rude comments were made about Hammett by White that were not included in the transcript. Ironically, colluding to alter the record is probably a more clear-cut ethics violation than the comments made by White.
5. Hammett requests a hearing in which the Zoom Hearing tape and Court Reporter's tape may be played back, first in the vicinity just after the Court came back to the bench after speaking with the "AOC", and then, if Hammett is correct that the Court said the motion for extension of time to

serve summons be in writing, the entire tape should be played and transcribed by a different certified court reporter.

Brief In Support

6. Pursuant to ARAP 6(e) "*Correction or modification of the record*. If any difference arises as to whether the record truly discloses what occurred in the circuit court, the difference shall be submitted by motion to and settled by that court and the record made to conform to the truth. If anything material to either party is omitted from the record by error or accident or is misstated therein, the parties by stipulation, or the circuit court before the record is transmitted to the appellate court, or the appellate court on motion made no later than 30 days after the appellee's brief is filed in the appellate court, or on its own initiative, may direct that the omission or misstatement shall be corrected, and if necessary, that a supplemental record be certified and transmitted. All other questions as to form and content of the record shall be presented to the appellate court. No correction or modification of the record shall be made without prior notice to all parties."
7. Hammett claims the Court's oral order for Plaintiff to file a written motion for extension of time to issue and serve summons on Rural Revival Living Trust, and then give Hammett an opportunity to oppose the motion in writing was omitted. The oral order was given at approximately Page 21 line 21. The Court said whomever she spoke with at the "AOC" advised her to require this motion be in writing. (Affidavit ⁋⁋
8. It makes sense that the AOC attorney would advise the Court to follow ARCP Rule 4(i)(2): "The court**, on written motion** and a showing of good

cause, may extend the time for service if the motion is made within 120 days of the filing of the suit or within the time period established by a previous extension. To be effective, an order granting an extension must be entered within 30 days after the motion to extend is filed, by the end of the 120-day period, or by the end of the period established by the previous extension, whichever date is later." (Bold added.)

9. The proper way to preserve the argument that the transcript is inaccurate for appeal is to move the court for a hearing where the tapes can be played. In the case of Craig v. State, the Appellate Court said "[a]lthough there are undoubtedly cases where a hearing would be helpful, and perhaps necessary, to determine whether the transcription of the record contains a misstatement of what transpired below, appellant in the case at bar never requested a hearing in his initial motion." Craig v. State, 64 Ark. App. 281, 282, 983 S.W.2d 440, 441–42 (1998)
10. The Appellate Court continued "in the absence of any allegation of bias or wrongdoing on the part of the trial judge, we see no significance in the fact that on remand the transcript was reviewed by the trial judge rather than the court reporter." Id.
11. Here, Hammett is moving the Court to play the recordings in open court because Hammett alleges bias and wrongdoing on the part of both Judge Susan K. Weaver and the Court Reporter.

Submitted this 29th day of August, 2021.

Respectfully submitted,

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on August 29, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Motion to Settle the Record Re: Transcript of August 4, 2021; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 29, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
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65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PEITRCZAK **PLAINTIFFS**

VS. **Case No. 65CV-21-20**

RURAL LIVING TRUST ETAL. **DEFENDANTS**

AMENDED SCHEDULING ORDER

Attorneys: William Zac White
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Nature of Case: REAL PROPERTY-OTHER

Date Filed: April 23, 2021 **Scheduling Hearing**: (As needed)

TRIAL DATE: **MAY 17-19, 2022 @ 9:00 AM**	**Jury Trial**
Fact Witness Depositions	**February 7, 2022**
Plaintiff Expert Disclosure Deadline	**February 8, 2022**
Defense Expert Disclosure Deadline	**March 11, 2022**
Plaintiff Expert Witness Depositions (completed by)	**March 14, 2022**
Defense Expert Witness Depositions (completed by)	**April 26, 2022**
Discovery Cut-off (**30 days** before trial)	**April 18, 2022**
Witness Lists Exchange	**April 26, 2022**
Motions Due	**April 11, 2022**

Stipulations Due	**April 18, 2022** (provided to the Court)
Exhibit List	**April 18, 2022** (provided to the Court)
Other: Motions *in limine* or additional motions due	**April 18, 2022**
Pre-Trial	**May 2, 2022** **9:00 AM**
Jury Instructions	**May 11, 2022**

Counsel must attempt to reach agreements where possible. Instructions must be submitted via e-mail in an editable format to tammy.weaver@faulknercounty.org no later than 9:00 am.

IT IS SO ORDERED.

Date: 08/30/2021

Hon. Susan Weaver
Circuit Judge

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65CV-21-20
C20D01 : 10 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

MOTION FOR RECONSIDERATION OF THE "ORDER" FILED AUGUST 20, 2021

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Laura Lynn" and "Hammett"), in pro se, and for

her Motion for Reconsideration of the "Order" Filed August 20, 2021 states as follows:

1. The Court filed two documents on August 20, 2021 at 16:25:08. One is entitled "Order to Strike". The other is entitled "Order". It is the "Order" that is addressed here.
2. Hammett addressed some of the issues subsequently to August 20, 2021. But the transcript of the August 4, 2021 hearing was not given to Hammett until just before midnight on August 24, 2021. In light of the transcript, which differs in several ways from Hammett's recollection, Hammett will address each order within the order here, briefly. (Hammett filed a Motion to Settle the Record of the Transcript By Hearing on August 29, 2021 and preserves her objection to the inaccuracies, including but not limited to the inaccuracies specified; but before the motion is ruled on and hearing held, Hammett will use the language in the transcript.)
3. The Court adopted the Plaintiff's caption of the case and omitted the counterclaim from the caption.
4. The Court Reporter also used the abbreviated caption, omitting the counterclaim.
5. Hammett asks the Court to add the counterclaim to the caption in all orders.
6. In Order paragraph 1, the Court said "[] Laura Lynn filed a motion to continue." The Court did not acknowledge that Hammett withdrew her motion to continue in her reply filed August 2, 2021, paragraph 9 and wherefore paragraph at the end. The Court also did not acknowledge that

Hammett opposed the continuance during the hearing of August 4, 2021. See transcript page 22 line 20 to line 25 and page 21 line 8 to 15.

7. In Order paragraph 1, the Court also said "[] the parties were not ready to proceed that day." Hammett was ready to proceed. Plaintiff was not ready to proceed, though he filed an opposition to the continuance on July 31, 2021. See transcript page 22 line 20 to line 25. Plaintiff filed no exhibits with the Court Reporter. Transcript page 8 line 9 to page 9 line 7.
8. The motion for continuance was granted because Mr. White on behalf of Plaintiff was not ready to proceed. It was his own fault he was not ready. It was his own fault the summons was not served, because he never prepared or got the summons issued. Hammett therefore asks that the trial be held on the exhibits presented to the Court Reporter no later than August 3, 2021 at 9 AM.
9. In Order paragraph 2 the Court dismissed Hammett's counterclaim sua sponte, failed to recite the specific grounds upon which dismissal was ordered and allowed no opportunity for Hammett to respond. Hammett determined on her own that a possible violation of Rule 8 is that jurisdiction and venue were incorporated from the answer by reference and the Complaint paragraph on jurisdiction, paragraph 5, was denied by Hammett as it misstated the law.
10. Hammett did submit to the jurisdiction of the Court by filing her counterclaim. (See transcript page 15 line 5 to 10.) Had a motion to dismiss been filed, Hammett would have amended her counterclaim in the time period allowed to respond. Hammett therefore asks that the order to dismiss

the counterclaim be set aside and for 10 days plus weekends to amend the counterclaim to comply with Rule 8.

11. Further, if the Counterclaim was dismissed for lack of a statement in ordinary and concise language of facts showing that the court has jurisdiction of the claim pursuant to ARCP Rule 8(a)(1), then equal protection under the law requires that the Court also dismiss the Complaint with the same lack of opportunity for Plaintiff to amend.

12. Also, even though there were no magic words "this Court has jurisdiction" the facts showing the Court had jurisdiction were in both Complaint and Counterclaim. Hammett knew at the time she filed that there was no diversity of jurisdiction or Federal question, the amount in controversy exceeds $25,000 and so the proper jurisdiction is a State Circuit court. Plaintiff may add a 42 USC 1983 claim against the Court Reporter and the non-government actors who conspired with her to violate Hammett's Constitutional right to due process. At that time the case can be transferred to Federal District Court.

13. In Order paragraph 3, the Court said Hammett's Request for Admissions was "not in compliance with Arkansas Rules of Procedure Rule 11." Assuming the Court meant ARCP Rule 11, there is no failure specified. Hammett asks the Court to strike that sentence from the order. Or comply with Rule 11 and make a motion giving specific facts and an opportunity to oppose.

14. Likewise, Hammett's alleged failure to comply with Rule 36 was not specified. Hammett asks for clarification of the failure and an opportunity to rebut.

15. In Order paragraph 4 the Court denied Hammett's Motion to Dismiss the Complaint. Hammett addressed this issue in a separate Motion for Reconsideration filed August 24, 2021. That Motion for Consideration is incorporated by reference here, as if set forth fully.
16. In Order paragraph 5 the Court denied Hammett's Motion in Limine filed August 3, 2021 as "untimely" and "moot".
17. There was no scheduling order before the final hearing of August 4, 2021, therefore a Motion in Limine could be made anytime up to the morning of the hearing, or even at sidebar during a trial.
18. The same Motion in Limine applies to the new trial date and Hammett renews the motion here.
19. In Order paragraph 6 the Court said it complied with Hammett's request for a written Order for Continuance. The Court still failed to explain any reasoning for the continuance. It was an abuse of discretion to allow Plaintiff a continuance with no showing of good cause. Failing to have the summons issued is not good cause. Instead of a continuance, Mr. White should be reported to the Committee on Professional Conduct for his repeated conduct of trying to get defaults from Judge Weaver by not serving summons on a defendant. It is absurd that Mr. White repeated claims that "Laura Lynn" "dodged service", and the Judge did not shut him down.
20. Of course, in the hearing, the Judge did shut Hammett down. At Transcript page 27, line 14 to 16, if the transcript is correct, the Court said "I don't need you to tell me how to do my job."
21. Hammett believes the Court actually said, "I don't need you to tell me how to run my court". Hammett remembers thinking: "This is not 'your court'; it

is the People's court" and then realizing that is how the popular court T.V. show got its name.

22. Hammett asks the Court to give a reason for the continuance, showing how the lack of summons was Hammett's fault or inadvertence. The summons for Rural Revival Living Trust has yet to be issued.

23. In Order paragraph 7 the Court said Hammett's motion for reading of jury instructions was "extremely premature as it is not even set for jury trial yet".

24. The docket and the letters from the court filed April 27, 2021 said the August 4, 2021 court date was for "final hearing" and "trial". The Court read Hammett's motion for continuance and two proposed orders and failed to explain that this was not a trial. Trial Court Administrator Tammy Weaver and Court Reporter Jana Perry told Hammett to bring her exhibits in by August 2 at noon and accepted 24 exhibits for the trial from Hammett.

25. Hammett renews her motion to have the jury instructions read at the new trial date, and requests that Plaintiff be barred from adding any jury instructions.

26. In Order paragraph 8 the Court said she listened to the court reporter audio from August 4, 2021. The Court should know the Court Reporter did not make an accurate record. The Court also said Hammett's response or objection to the granting of an oral motion to extend time for service of process was untimely.

27. Even if the transcript is accurate, Hammett does not have 100% recall. The internet quality in Hammett's neighborhood was faulty the day of the trial. It is possible Hammett did not hear the Judge granting the oral motion. (But

Hammett does not hear voices and is certain the Court said the AOC advised her that the motion must be in writing.)

28. The Court Reporter did not deliver the transcript to Hammett until almost midnight on August 24, 2021. So any delay in objection to the order is due to the administrative duty of the court reporter being delayed.

29. Hammett filed an objection or motion for reconsideration of the order for continuance made on August 4, 2021. The Court did not elaborate, even with a minute order on the docket. Because the Court does not allow mechanical recording of the hearings (which may be challenged on Constitutional grounds for the next hearing or trial) Hammett could not know the Court made the purported order for extension of time to serve until August 19, 2021 when the Court granted the proposed order.

30. In Order paragraph 9 the Court said: "If separate Defendant/Counter-Plaintiff Laura Lynn, is not served under Rule 4 of the Arkansas Rules of Civil Procedure within the 120 day extension, this case will be dismissed."

31. First, Laura Lynn Hammett as an individual made an appearance and submitted to the jurisdiction of the court when she filed the counterclaim. The party that did not receive summons is the Rural Revival Living Trust.

32. Second, the case should not be dismissed, only the Complaint should be dismissed. The order dismissing the Counterclaim should be vacated, or Hammett will refile, making a more certain statement of jurisdiction; Hammett reserves the right to transfer the case to Federal Court if the 1983 claim is added.

BRIEF IN SUPPORT

33. "Where the circuit court acts sua sponte and enters an order ruling on a party's issue, that issue is preserved for appeal even if the appellant failed to raise the specific arguments before the trial court." Leeka v. State, 2015 Ark. 183, 461 S.W.3d 331 (2015) Therefore Hammett's right to appeal the dismissal of the counterclaim on any and all issues is preserved.

34. Likewise, all issues that were ruled on by the Court with no motion properly before it are appealable. This includes but is not limited to the extension of time to serve summons on Rural Revival Living Trust or any defendant.

35. "(a) *Claims for Relief*. A pleading which sets forth a claim for relief, whether a complaint, counterclaim, crossclaim, or third party claim, shall contain (1) a statement in ordinary and concise language of facts showing that the court has jurisdiction of the claim and is the proper venue and that the pleader is entitled to relief;" ARCP Rule 8

36. "(c) *Adoption by Reference; Exhibits*. Statements in a pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion." ARCP Rule 10. Hammett incorporated Plaintiff's statements of venue and jurisdiction by admitting them and then incorporating the admission in the counterclaim. "Lynn incorporates by reference the answer to the Complaint above." Answer and Counterclaim ¶91.

37. In Paragraph 6 of the answer and counterclaim Hammett admitted venue.

38. "A defendant may waive invalid service of process by seeking affirmative relief and thereby subjecting itself to the jurisdiction of the court." City of Tontitown v. First Sec. Bank, 2017 Ark. App. 326, 525 S.W.3d 18 (2017)

39. Here, both Laura Lynn as an individual and Micheal Pietrczak made appearances on August 4, 2021 to seek affirmative relief. "The determining factor regarding whether a defendant [or counter-defendant] has waived its service-of-process rights and entered its appearance is whether the defendant seeks affirmative relief, that is, whether the pleading filed is more than a defensive action." Id.

40. ARCP Rule 11 allows for the Court to apply sanctions, including denial of a motion for violations of the rule. " If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, shall impose upon any attorney or party who violated this rule an appropriate sanction." ARCP Rule 11(c)(1)

41. But, the "court's order imposing a sanction shall describe the sanctioned conduct and explain the basis for the sanction." ARCP Rule 11(c)(3) Judge Weaver failed to describe the sanctioned conduct. Further, the order was sua sponte, so Hammett preserves her right to bring any and all arguments on appeal. Hopefully the Court reconsiders its order and grants the Motion to Dismiss the Complaint.

42. "**motion in limine** (in **lim**-ə-nee) (18c) A pretrial request that certain inadmissible evidence not be referred to or offered at trial." MOTION IN LIMINE, Black's Law Dictionary (11th ed. 2019)

43. USlegal.com gives this persuasive explanation. "The Latin phrase 'in limine' means 'on the threshold' and therefore a motion in limine refers to a

motion made on the threshold of trial." Hammett's Motion in Limine was timely.

44. Hammett asks the Court to rule on the Motion in Limine based on the motion and the non-opposition of Plaintiff.

Submitted this 31st day of August, 2021.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on August 31, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Motion for Reconsideration of the "Order" of August 20, 2021; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 31, 2021 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

RESPONSE TO MOTIONS PRESENTED BY PLAINTIFF'S COUNSEL AS "LETTERS" ON AUGUST 20 and 23, 2021

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Laura Lynn" and "Hammett"), in pro se, and for

her Response to Motions Presented as "Letters" on August 20 and 23, 2021, states as follows:

1. The Court filed a letter on August 20, 2021, admonishing the parties that they must comply with the Arkansas Rules of Civil Procedure during the case.
2. Plaintiff's counsel William Zac White responded less than an hour later by filing a motion or notice styled as a letter, lacking any brief, including material that is false, highly prejudicial, inflammatory or with no probative value to the case. ("Letter 1")
3. Hammett did not respond on the record of the court to Letter 1 before Mr. White filed "Letter 2" on August 23, 2021.
4. Mr. White incorporated Letter 2 into Letter 1 in the first sentence.
5. Mr. White made further inflammatory and false statements in Letter 2, without addressing any issue pertinent to the case "Pietrczak v. Rural Living Trust, Etc – Searcy County Circuit Court Case No. 65CV-21-20".
6. In Letter 1 Mr. White wrote: "I feel the Court should be aware of Ms. Hammett's threats against you personally and the Court so that the Court may take whatever action it sees fit in proceeding." (Making a motion)
7. In Letter 2 Mr. White wrote: "[] I thought it appropriate to notify the Court of Ms. Hammett's continued threats." (Making a notice)
8. It is perplexing and ironic that an attorney who has over 30 active cases at this time and who represents the plaintiff in the untenable case at bar is complaining that someone threatened to sue him.

9. Because there was no brief included in either letter and no authorities cited, and Mr. White failed to cite any specific violation by Hammett, no response should be required. Because the Court appears to have a bias against Hammett, Hammett will respond by asking the Court to strike the impertinent letters, and to deny the allegations so as to preserve her right to appeal if the Court decides any allegations not denied were affirmed.
10. Hammett also asks the Court to take appropriate action against Mr. White for making unprofessional, belligerent comments and a false report of a crime.
11. Hammett did not make "threats against you personally". The common meaning of those words is that Hammett made a threat of harm against Susan K. Weaver.
12. Reporting wrongdoing or ethics violations by a judge is legal and not the slightest bit personal. Hammett does not know how to use a gun and is in fact afraid that Judge Weaver might think the Judge can get away with shooting Hammett. Hammett is bravely protecting the freedoms and system of law in our great nation by making appropriate reports to authorities.
13. The email attached to Letter 2 does not specify to whom the complaint was made. As a matter of fact, Hammett complained to the AOC, the District Attorney and will soon start complaining to the press. Any complaint to the Judicial Disciplinary and Disability Commission should be kept confidential until the JDDC makes it public.
14. Hammett has made no inappropriate communications to Mr. White or to the Court. Hammett's tone in all her communications is professional and as respectful as one can be when alleging judicial or professional misconduct.

15. Mr. White, on the other hand, wrote such missives as : “long after you have crawled back under the rock you came from.”
16. Hammett has pointed out by email to TCA Tammy Weaver that proposed orders are not posting to Court Connect. Pro se litigants without permission to use eFlex cannot access the proposed orders and eFlex notifications disappear after a time period, 60 days offhand.

BRIEF IN SUPPORT

17. “**threat** *n.* (bef. 12c) **1.** A communicated intent to inflict harm or loss on another or on another's property, esp. one that might diminish a person's freedom to act voluntarily or with lawful consent; a declaration, express or implied, of an intent to inflict loss or pain on another <a kidnapper's threats of violence>.” THREAT, Black's Law Dictionary (11th ed. 2019)
18. If Judge Weaver is not violating the Canons of Judicial Conduct or laws about not colluding to obstruct justice, then none of Hammett’s complaints will be able to harm Judge Weaver. If the complaints result in disciplinary or legal action against Judge Weaver, it is Judge Weaver’s own actions that inflicted the loss she will suffer.
19. Judge Susan Weaver was a prosecuting attorney before obtaining her place on the bench. She probably did not characterize herself as “threatening” the defendants.

Submitted this 31st day of August, 2021.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

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Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on August 31, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Response to Motions called Letters of August 20 and 23, 2021; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

August 31, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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65CV-21-20
C20D01 : 4 Pages

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

MOTION TO DENY AND STRIKE DEFENDANT'S MOTION FOR SUMMARY JUDGEMENT OR IN THE ALTERNITIVE RESPONSE TO DEFENDANT'S MOTION FOR SUMMARY JUDGEMENT

Comes now the Plaintiff, Michael Pietrczak, via the attorney, William Z. White, who in support of this Motion to Deny and Strike Defendant's Motion for Summary Judgement or in the Alternative Response to Defendant's Motion for Summary Judgement allege as follows:

MOTION TO STRIKE DEFENDANT'S MOTION FOR SUMMARY JUDGEMENT

1. Defendant, Laura L. Hammett, filed her Motion for Summary Judgement within Searcy County, Arkansas Circuit Court Case No.: 65CV-21-20 on August 27, 2021.

2. Defendant's Motion for Summary Judgement ("Motion") fails to state with particularity the grounds of the motion and/or failed to set forth the relief or order sought.

3. Defendant's Motion makes no requests for relief, no demand for relief, nor does the Motion contain a prayer for relief as required pursuant Ark. R. Civ. P. 7(b)(1)

4. Ark. R. Civ. P. 7(b)(1) states:

Rule 7. Pleadings and motions.

(a) Pleadings Allowed. -- There shall be a complaint and an answer; a counterclaim; a reply to a counterclaim denominated as such; an answer to a cross-claim, if the answer contains a cross-claim; a third party complaint, if a person who was not an original party is summoned under the provisions of Rule 14; and a third party answer, if a third party complaint is served. No other pleadings shall be allowed.

(b) Motions and Other Papers.

(1) An application to the court for an order shall be by motion which, unless made during a hearing or trial, shall be made in writing, shall state with particularity the grounds therefor, and shall set forth the relief or order sought. The requirement of writing is fulfilled if the motion is stated in a written notice of the hearing of the motion.

5. Defendant's Motion does not request the Court take any action. It is merely a statement of what seem to be random allegations, confusing statements, and unrelated case law.

6. Defendant's Motion does not contain a statement in ordinary and concise language of facts, does not pled that she is entailed to relief, and does not demand for the relief to which she considers herself to be entailed as required by Ark. R. Civ. P. 8(a).

7. Ark. R. Civ. P. 8(a) states:

Rule 8. General rules of pleading.

(a) Claims for Relief. – A pleading which sets forth a claim for relief, whether a complaint, counterclaim, crossclaim, or third party claim, shall contain (1) a statement in ordinary and concise language of facts showing that the court has jurisdiction of the claim and is the proper venue and that the pleader is entitled to relief, and (2) a demand for the relief to which the pleader considers himself entitled. In claims for unliquidated damage, a demand containing no specified amount of money shall limit recovery to an amount less than required for federal court jurisdiction in diversity of citizenship cases, unless language of the demand indicates that the recovery sought is in excess of such amount. Relief in the alternative may be demanded.

8. Plaintiff request's that this Court find that Dependent's Motion fails to meet the requirements of Ark. R. Civ. P. 7 and/or Ark. R. Civ. P. 8.

9. Plaintiff request's that this Court strike Defendant's Motion from the record for reasons stated herein.

10. Plaintiff request's that this Court deny Defendant's Motion for reasons stated herein.

WHEREFORE, the Plaintiff, Michael Pietrczak, respectfully request that the Court: (1) deny Defendant's Motion for Summary Judgement; (2) strike Defendant's Motion for Summary Judgement from the record for reasons stated herein; and (3) grant the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

PLEADING IN THE ALTERNATIVE
RESPONSE TO DEFENDANTS' MOTION TO DISMISS

11. The proceeding paragraphs are incorporated here in as if set forth word for word pursuant to Ark. R. Civ. P. 10.

12. Plaintiff is without sufficient information or knowledge to form an opinion as to all the allegations set forth Defendant's Motion, therefore, denies same.

13. Plaintiff denies that Defendant is entitled to relief in general or that relief prayed for specifically within any section and/or sub-sections(if any) of the Defendant's Motion for Summary Judgement.

WHEREFORE, the Plaintiff, Michael Pietrczak, respectfully requests that this Court: (1) deny Defendants' Motion for Summary Judgment; and (2) grant the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiffs, Michael Pietrczak.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Thursday, September 16, 21

Wm. Z. White
William Z. White

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65CV-21-20
C20D01 : 5 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN (NOW HAMMETT'S) RESPONSE TO PLAINTIFF'S MOTION TO STRIKE AND REPLY TO MOTION FOR SUMMARY JUDGMENT ON THE COMPLAINT OF MICHEAL PIETRCZAK; BRIEF IN SUPPORT

Comes Separate Defendant Laura Lynn (Herein referred to as "Defendant" or "Lynn"), in pro se, and for her Response to Plaintiff's Motion to Strike and Reply to Motion For Summary Judgment, states as follows:

1. As Plaintiff noted in paragraph 1 of what will be called here "Response" filed September 16, 2021 and posted September 17, 2021, "Hammett" filed a "Motion for Summary Judgment" on August 27, 2021.
2. Pursuant to Ark. R. Civ. Pro. Rule 6(c), "Any party opposing a motion shall serve a response within 10 days after service of the motion." Rule 6(a) extends this time. "When the period of time prescribed or allowed is less than fourteen (14) days, intermediate Saturdays, Sundays, or legal holidays shall be excluded in the computation." Rule 6(c) allows the Court to change this timing by order. "The time periods set forth in this subdivision may be modified by order of the court[]." No order was made extending the time. No motion was made for an extension of time, written or oral, unless Hammett was not made privy to the communication.
3. The response to the Motion for Summary Judgement was due by September 13, 2021. It is therefore untimely and must be disregarded. Plaintiff couched the response as a "Motion to Strike" to make an end run around Rule 6. The motion to strike would fail on its own. Plaintiff should definitely not be allowed to slip the untimely response in under the same cover.
4. In case the trial court accepts the response late and the appellate court does not overturn, Hammett will address both the "Motion to Strike" and the "Response" on their lack of merit.

5. The Plaintiff claims in the Motion to Strike section that Hammett's "Motion for Summary Judgement ('Motion') fails to state with particularity the grounds of the motion and/or failed to set forth the relief or order sought." (Response ⁋ 2)

6. Hammett gave facts detailed in the Motion for Summary Judgement paragraphs 1 through 8 inclusive that support the statement in paragraph 6: "**Micheal Pietrczak terminated the Power-of Attorney and it was not in effect on April 23, 2021 when the present suit was filed by Walter Pietrczak via attorney William Z. White.**" Bold added for emphasis.

7. **Further, Micheal Pietrczak disavowed the allegations made in the complaint in Request number 5**. (Motion for Summary Judgment ⁋⁋ 9-11)

8. Walter Pietrczak had no standing to bring suit on behalf of Micheal Pietrczak at the time the suit was filed. Micheal Pietrczak (and Mr. White) are hedging their bets, disavowing the complaint, not issuing summons to one defendant and not serving the other defendant, so as not to be found liable for malicious prosecution and abuse of process. In the meantime, wasting Hammett's and the Court's resources.

9. Plaintiff claims in paragraph 3 of the Motion to Strike section "Defendant's Motion makes no requests for relief, no demand for relief, nor does the Motion contain a prayer for relief as required pursuant Ark. R. Civ. P. 7(b)(1)."

10. The Document is titled and the opening paragraph state that it is a Motion for Summary Judgment. Hammett moved the court, in layman's terms "asked the Court" to decide the complaint on the existing pleadings and other papers.

11. "**summary judgment** (18c) A judgment granted on a claim or defense about which there is no genuine issue of material fact and on which the movant is entitled to prevail as a matter of law. • The court considers the contents of the pleadings,

the motions, and additional evidence adduced by the parties to determine whether there is a genuine issue of material fact rather than one of law. This procedural device allows the speedy disposition of a controversy without the need for trial. Fed. R. Civ. P. 56" SUMMARY JUDGMENT, Black's Law Dictionary (11th ed. 2019)

12. Hammett moved the Court to follow the law by deciding the case on the matter of law that is a lack of standing. "Because Walter Pietrczak did not have standing when the Complaint was filed on behalf of plaintiff, the Complaint must be dismissed with prejudice." (Motion for Summary Judgment paragraph 17)

13. In the Motion to Strike section paragraph 4, Plaintiff copied the Ark. R. Civ. Pro. Rule 7(a and b) verbatim. But here and throughout all Plaintiff's papers filed in this case, Plaintiff misuses the word "pleadings" to mean any document filed. This is not a typo. It is a misuse of the word and here, shows he contends that a motion is one of the seven "pleadings" allowed in Rule 7(a).

14. The Response section paragraphs 11 to 13 are deficient as a response to a motion, besides being untimely.

15. "All motions required to be in writing and any responses and replies shall include a brief supporting statement of the factual and legal basis for the motion, response, or reply and the citations relied upon." Ark. R. Civ. Pro. Rule 7(b)(2).

16. It is bizarre that a licensed attorney is writing that he is "without sufficient information or knowledge to form an opinion as to all allegations set forth [in] Defendant's motion, therefore, denies same." (Response ¶ 12)

17. The Defendant, even though she is not an attorney, presented caselaw that is exactly on point that Walter Pietrczak lacked standing to bring an action on behalf of Micheal Pietrczak, "thereby rendering original complaint a nullity, where

[Walter Pietrczak] had not been appointed as [Power of Attorney to Micheal Pietrczak] at time of filing of action."

18. The Defendant thus moves the Court for an order of Default Judgment dismissing the Complaint of Micheal Pietrczak, with prejudice.

This 17th day of September, 2021.

Respectfully submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on September 17, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) Response to Defendant's Motion to Strike and Response to Motion For Summary Judgement on the Complaint of Micheal Pietrczak and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

September 17, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION FOR RECONSIDERATION OF THE "ORDER" FILED AUGUST 20, 2021

Comes now the Plaintiff, Michael Pietrczak, via the attorney, William Z. White, who in support of this Plaintiff's Response to Lynn Hammett's Motion and allege as follows:

1. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraphs 1 - 44 of Defendant's Motion, therefore, denies same.

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Motion; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiff, Michael Pietrczak.

By: *_/s/ William Zac White*

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Tuesday, September 21, 21

/s/ William Zac White
William Z. White

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFFS' RESPONSE TO SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION TO STRIKE PLAINTIFF'S UNTIMELY RESPONSES FOR REQUESTS FOR ADMISSION AND BRIEF IN SUPPORT

Comes now the Plaintiff, Michael Pietrczak, via the attorney, William Z. White, who in support of this Plaintiff's Response to Lynn Hammett's Motion and allege as follows:

1. Plaintiff denies the all allegations contained within paragraphs 1-16 of Defendant's Motion.

2. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 17 of Defendant's Motion, therefore, denies same.

3. Plaintiff denies the allegations contained in paragraph 18 and 19.

4. Plaintiff denies all allegations contained in Defendant's Wherefore paragraph.

5. Upon information and belief, Plaintiff affirmatively pleads that Defendant's Motion is a violation of Ark. R. App. P. Civ. Rule 11 and should be subject to sanctions pursuant to Ark. R. App. P. Civ. Rule 11(c).

6. Plaintiff affirmatively pleads that Defendant's Motion is now inconsequential as the hearing scheduled on August 4, 2021, was heard and continued.

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Motion; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiff, Michael Pietrczak.

By: *_/s/ William Zac White*
William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
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E-mail: wzwhite@wzwhite.com

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Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Tuesday, September 21, 21

/s/ William Zac White
William Z. White

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFFS' REPLY TO DEFENDANT'S RESPONSE TO MOTIONS PRESENTED BY PLAIINTIFF'S COUNSEL AS "LETTERS" ON AUGUST 20 & 23, 2021

Comes now the Plaintiff, Michael Pietrczak, via the attorney, William Z. White, who in support of this Plaintiff's Response to Lynn Hammett's Motion and allege as follows:

1. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 1 of Defendant's Motion, therefore, denies same.

2. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 2 of Defendant's Motion, therefore, denies same.

3. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 3 of Defendant's Motion, therefore, denies same.

4. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 4 of Defendant's Motion, therefore, denies same.

5. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 5 of Defendant's Motion, therefore, denies same.

6. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 6 of Defendant's Motion, therefore, denies same.

7. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 7 of Defendant's Motion, therefore, denies same.

8. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 8 of Defendant's Motion, therefore, denies same.

9. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 9 of Defendant's Motion, therefore, denies same.

10. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 10 of Defendant's Motion, therefore, denies same.

11. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 11 of Defendant's Motion, therefore, denies same.

12. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 12 of Defendant's Motion, therefore, denies same.

13. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 13 of Defendant's Motion, therefore, denies same.

14. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 14 of Defendant's Motion, therefore, denies same.

15. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 15 of Defendant's Motion, therefore, denies same.

16. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 16 of Defendant's Motion, therefore, denies same.

17. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 17 of Defendant's Motion, therefore, denies same.

18. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 18 of Defendant's Motion, therefore, denies same.

19. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 19 of Defendant's Motion, therefore, denies same.

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Motion; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiff, Michael Pietrczak.

By: _*/s/ William Zac White*
William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
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E-mail: wzwhite@wzwhite.com

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Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Tuesday, September 21, 21

/s/ William Zac White
William Z. White

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFFS' RESPONSE TO SEPARATE DEFENDANT LAURA LYNN (NOW HAMMETT) AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION TO SETTLE THE RECORD RE: TRANSCRIPT OF AUGUST 4, 2021; BRIEF IN SUPPORT

Comes now the Plaintiff, Michael Pietrczak, via the attorney, William Z. White, who in support of this Plaintiff's Response to Lynn Hammett's Motion and allege as follows:

1. Plaintiff denies the allegations contained within paragraphs 1-11.

2. Motion is a violation of Ark. R. App. P. Civ. Rule 11 and should be subject to sanctions pursuant to Ark. R. App. P. Civ. Rule 11(c).

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Motion; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiff, Michael Pietrczak.

By: *_/s/ William Zac White*
William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
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Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Tuesday, September 21, 21

/s/ William Zac White
William Z. White

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFFS' RESPONSE TO SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION FOR RECONSIDERATION OF THE ORDER TO STRIKE ALL EXHIBITS FILED BY HAMMETT AND BRIEF IN SUPPORT

Comes now the Plaintiff, Michael Pietrczak, via the attorney, William Z. White, who in support of this Plaintiff's Response to Lynn Hammett's Motion and allege as follows:

1. Plaintiff admits the allegations contained within paragraph 1.

2. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 2 of Defendant's Motion, therefore, denies same.

3. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 3 of Defendant's Motion, therefore, denies same.

4. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 4 of Defendant's Motion, therefore, denies same.

5. Plaintiff denies the allegations contained within paragraph 5.

6. Plaintiff denies the allegations contained within paragraph 6.

7. Plaintiff denies the allegation contained within paragraph 7.

8. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 8 of Defendant's Motion, therefore, denies same.

9. Plaintiff denies the allegations contained in paragraph 9.

10. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 3 of Defendant's Motion, therefore, denies same.

11. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 11 of Defendant's Motion, therefore, denies same.

12. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 12 of Defendant's Motion, therefore, denies same.

13. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 13 of Defendant's Motion, therefore, denies same.

14. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 14 of Defendant's Motion, therefore, denies same.

15. Plaintiff denies all allegations contained in paragraph 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31.

16. Plaintiff denies all allegations contained in Defendant's Wherefore paragraph.

17. Upon information and belief, Plaintiff affirmatively pleads that Defendant's Motion is a violation of Ark. R. App. P. Civ. Rule 11 and should be subject to sanctions pursuant to Ark. R. App. P. Civ. Rule 11(c).

18. Plaintiff affirmatively pleads that Defendant's Motion is now inconsequential as the hearing scheduled on August 4, 2021, was heard and continued.

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Motion; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiff, Michael Pietrczak.

By: *_/s/ William Zac White*
William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
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Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Tuesday, September 21, 21

/s/ William Zac White
William Z. White

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN (NOW HAMMETT'S) AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S REPLY IN SUPPORT OF MOTION TO SETTLE THE RECORD RE: TRANSCRIPT OF AUGUST 4, 2021; BRIEF I SUPPORT

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Hammett"), in pro se, and for her reply to Plaintiff's response to the motion to settle the record regarding the transcript of the August 4, 2021 Hearing in this case states as follows:

1. The Response is more evidence that attorney William Zac White is entitled to flaunt the Rules of Civil Procedure in what Judge Weaver called "my court". (Those words were not transcribed but were said by Judge Weaver during the hearing of August 4, 2021.)
2. The motion was filed on August 29, 2021. Pursuant to Ark. R. Civ. Pro. Rule 6, a rule discussed and relied upon by Judge Weaver and Mr. White during the hearing, recorded in the transcript at page 4, lines 1, 24, 25, page 7 lines 11, 25, page 11 line 16, and page 21 lines 2 and 25, the response was due by September 13, 2021.
3. The response was not filed until September 21, 2021.
4. The response was devoid of any authority to support the denial of all the "allegations" in the motion. The response was devoid on any reference to the authorities cited in Hammett's brief.
5. The finale was a Motion for Sanctions against Hammett pursuant to Ark. R. Civ. Pro. Rule 11, combined into a response to a motion on a different subject, with no brief in support, no specification of what the violations were and no safe harbor period for Hammett to correct any mistake.
6. Because Hammett made a reasonable request that may limit the need to use the appellate court's time and resources, and supported her request with

authorities that were not challenged by Plaintiff's counsel, Hammett prays the Court will hold a hearing to settle the record in open court.

Brief In Support

7. Pursuant to Ark. R. Civ. Pro. Rule 6(c), "Any party opposing a motion shall serve a response within 10 days after service of the motion." Rule 6(a) extends this time. "When the period of time prescribed or allowed is less than fourteen (14) days, intermediate Saturdays, Sundays, or legal holidays shall be excluded in the computation." Plaintiff was tardy 8 days.
8. Rule 6(c) allows the Court to change this timing by order. "The time periods set forth in this subdivision may be modified by order of the court[]." No order was made extending the time. No motion was made for an extension of time, written or oral, unless Hammett was not made privy to the communication.
9. "All motions required to be in writing and any responses and replies shall include a brief supporting statement of the factual and legal basis for the motion, response, or reply and the citations relied upon." (Ark. R. Civ. Pro. Rule 7(b)(2)). Plaintiff did not include a brief or any authority in the body of the response.
10. "A motion for sanctions under this rule shall be made separately from other motions or requests and shall describe the specific conduct alleged to violate subdivision (b)." (Ark. R. Civ. Pro. Rule 11(c)(5)) Plaintiff combined his motion with his response to a different motion and made only a conclusionary statement with no specificity.

11. "[The Rule 11 motion] shall be served as provided in Rule 5 but shall not be filed with or presented to the court unless, within 21 days after service of the motion, or such other period as the court may prescribe, the challenged paper, claim, defense, contention, allegation, or denial is not withdrawn or appropriately corrected." Id. Plaintiff popped the Rule 11 motion with no communication at all with Hammett regarding the merits of holding a hearing to settle the record.

Submitted this 21st day of September, 2021.

Respectfully submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, Defendant and Counterclaimant, in pro se
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on August 29, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Reply to the Motion to Settle the Record Re: Transcript of August 4, 2021; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

September 21, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION FOR ORDER OF RECUSAL OF JUDGE SUSAN K. WEAVER

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Hammett"), in pro se, and for her Motion for Order of Recusal of Judge Susan K. Weaver, states as follows:

1. Judge Susan K. Weaver is assigned to three cases on which Laura Lynn Hammett ("Hammett") is a litigant, including the above captioned case. This motion pertains equally to all the cases and Hammett requests the Court recuse from each case.
2. The cases are the above captioned case which will be called "Pietrczak", Laura Hammett v. First American Home Warranty Corporation, et al, 23CV-20-631, called "Home Warranty" hereunder, and Laura Lynn Hammett v. Shelter Mutual Insurance Company, et al, 23CV-21-318, called "Insurance" hereunder.

General Facts

3. Judge Weaver made numerous egregious legal errors on each case, which will need to be addressed by our appellate court. In each case, the error is against Hammett's arguments.
4. Judge Weaver allows opposing counsel to make derogatory and unprofessional comments about Hammett in hearing and by email.
5. Many of the rude comments made in hearing were not transcribed by the Court Reporter, and it is likely Judge Weaver orchestrated the inept transcription.
6. More material inaccuracies were made in the transcription. Even so, the purported comments by the Court admit bias, where the Court said she does not "normally" make the ruling she made against Hammett.

7. Hammett was waiting to file the motion for recusal until after a hearing to settle the record, but the Court's apparent bias is causing the 59-year-old pro se litigant extreme anxiety over her finances, believing Judge Weaver will use her position of power to transfer wealth Hammett needs to retire to Mr. White and other attorneys representing Hammett's opposition.

8. It is likely that Hammett will file a complaint under 42 USC 1983 against the court reporter and Judge Weaver, not subject to absolute judicial immunity because it is about an administrative act, the transcription of the record.

9. Judge Weaver made an error against Hammett that she made on another case similarly, but she already corrected the other case by reversing the order.

10. Judge Weaver dismissed Hammett's counterclaim on Pietrczak sua sponte, with no specific reason given, but she did not dismiss the deficient complaint, even after Hammett filed a motion to dismiss.

11. The appearance of bias is so bad that Hammett cannot find a local attorney who is willing to represent her on any case presided over by Judge Weaver.

12. Attorney White has filed no less than eight documents in this case untimely, Hammett has been timely in each filing, yet the Court repeatedly admonishes Hammett to "follow the Rules".

Specific Facts

13. In Pietrczak, one error involved the opposing party's failure to serve summons on the defendants. Summons was not even issued for one necessary party, "Rural Revival Living Trust".

14. Pietrczak attorney, William Z. White failed to serve summons on a necessary party in a different case presided over by Judge Susan K. Weaver, 71PR-19-91, Zelda Harrell Walls. In that guardianship case, Ms. Walls had settled a spendthrift trust for her son Richard Gawenis. Mr. Gawenis, represented by William Z. White, convinced Judge Weaver to terminate and revoke the trust on September 22, 2020, without notice to the successor trustee. (as described in Zelda S. Walls Living Trust Dated July 25, 2019, Donna Bryant v. Richard Gawenis, case no. 71CV-20-119, C20D01, paragraph 8) Judgement in favor of the plaintiff in 71CV-20-119 was granted by Judge Weaver on March 30, 2021, reinstating the trust.

15. Apparently Judge Weaver is now aware that a summons must be served on each defendant.

16. Mr. White asked Judge Weaver for a continuance of the hearing of August 4, 2021 ("the Hearing"), though he filed an opposition to the continuance on July 30, 2021.

17. The basis for the continuance was alleged to be the dodging of service of summons on the Rural Revival Living Trust by Hammett. Judge Weaver was aware that summons was not even issued to the trust and there was no evidence Hammett dodged service but granted the continuance anyhow.

18. The Court appeared to know ahead of time it was going to continue the hearing of August 4, 2021, yet engaged in a charade with Plaintiff's counsel that Hammett might need to argue her case at a jury trial.

19. Evidence that the Court knew there would be no trial is that a jury pool was not arranged.

20. Hammett produced exhibits she would try to introduce into evidence. Mr. White produced none.

21. The Court abused its discretion to grant a continuance based upon Mr. White's plea for more time to serve summons on the Rural Revival Living Trust, even though Mr. White had not caused a summons to issue yet, the claims in the complaint were time barred and the almost identical complaint filed in 2018 was dismissed for lack of prosecution.

22. Pietrczak had not responded to Hammett's counterclaim and the time to respond was expired by almost a month. The Court did not grant default judgment as requested by Hammett.

23. Pietrczak asked for an extension of time to serve the summons on Rural Revival Living Trust past the statutory 120 days at the Hearing.

24. Judge Weaver granted the extension in writing, based on oral motion, in contradiction to ARCP Rule 4(i)(2) and her purported statement that she "normally" requires the motion to extend time to be written.

25. The oral motion for extension of time was denied during the hearing. Judge Weaver claims and the transcript of the hearing shows that Judge Weaver granted the oral motion during the hearing. This and pervasive inaccuracies in the transcript give the appearance of collusion between the Court, attorney White and, most unfortunately, the Court Reporter, a woman reputed to be honest. (Hammett moved the Court to settle the record and the motion is pending.)

26. An inaccurate transcription is an administrative error, not a judicial error, and thus, when Hammett files a suit under 42 USC 1983 against the Court

Reporter and Judge Weaver, the suit should not be barred by absolute judicial immunity. Judge Weaver is a viable defendant in a suit by Hammett.

27. In the Home Warranty case, the defendant filed a motion to compel arbitration. (That motion was eventually granted erroneously and may be appealed after the arbitrator's ruling is reduced to judgment.) It took Judge Weaver 14 months to decide the motion to compel arbitration. This extremely long wait is especially prejudicial since the purpose for arbitration is to speed up the legal process.

28. In the Insurance case, Judge Weaver ordered Hammett to "add the 'Rural Revival Living Trust"' as a plaintiff. Trusts are not a proper party. Assuming the Court meant to add the trustee of the Rural Revival Living Trust, Hammett made a diligent effort to find an attorney to represent the trustee. Three attorneys have refused the job, even if paid by fee. Hammett has reason to believe the refusal of the work is due to the apparent bias of Judge Weaver against Hammett. (One attorney sent a retainer agreement and said he was ready to help in early August, but when Hammett tried to hand him the retainer check in late August, after the crazy hearing and a slew of adverse rulings against Hammett, he refused it.)

29. Hammett has two appointments to speak with attorneys in counties where Judge Weaver does not preside. (One has appealed orders made by Judge Weaver in the past, but lost on appeal.) Still, the difficulty to get attorneys to take work non-contingent is glaring evidence of the appearance of bias by the Court.

BRIEF IN SUPPORT

30. "Canon 2 of the Arkansas Code of Judicial Conduct provides that a 'judge shall perform the duties of judicial office impartially, competently, and diligently.' Rule 2.11(A)(1) of the Code provides that a judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including when the judge has a personal bias or prejudice concerning a party or a party's lawyer." *Matter of Est. of Edens, 2018 Ark. App. 226, 19, 548 S.W.3d 179, 190–91 (2018*)

31. "The proper administration of the law requires not only that judges refrain from actual bias but also that they avoid all appearance of unfairness. *Id.* When a judge exhibits bias or the appearance of bias, the appellate court will reverse." Id 191.

32. "A clearly erroneous interpretation or application of a law or rule will constitute a manifest abuse of discretion. Id." Id.

33. The Court then lied about granting an oral motion for extension of time to serve the summons. Even the lie was legal error, as ARCP Rule 4(i)(2) makes such a motion in writing mandatory.

WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays that her Motion for Recusal of Judge Susan K. Weaver be granted, in this and all cases present and future.

This 23rd day of September, 2021.

Respectfully submitted,

/S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on September 23, 2021 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Motion for Recusal of Judge Susan K. Weaver and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

September 23, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

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IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN (HAMMETT) **DEFENDANTS**

RESPONSE TO MOTION FOR ORDER OF RECUSAL

AND

BRIEF IN SUPPORT THEREOF

Comes now counsel for the Plaintiff who in support of this Motion for Order of Recusal, and Brief in support thereof, states and alleges as follows:

1. Laura Lynn (Hammett) is not a licensed attorney.

2. Laura Lynn (Hammett) is a serial pro-se litigant with several current lawsuits pending both at the state and federal levels. It is highly probably Individual Defendant Laura Lynn (Hammett) is representing her husband in several of those matters while he claims to be a "pro-se" litigant.

3. The allegations contained within Laura Lynn's (Hammett) Motion for Order of Recusal are non-sensical and are hereby denied.

4. Pleading affirmatively, Laura Lynn (Hammett) is convinced that her rudimentary legal knowledge is somehow superior to and controlling upon the parties, counsels of record, administrative employees of the Court, and the Court itself. Pleading further, Laura Lynn (Hammett) is attempting to engage in forum shopping because she simply does not like the fact that the Court has issued rulings against her.

WHEREFORE, the Plaintiff respectfully requests that this Court deny Laura Lynn's (Hammett) Motion for Order of Recusal of Judge Susan K. Weaver, award the Plaintiff's fees and costs (including a reasonable attorney's fee) for the necessitation of defending yet another frivolous pleading, and grant any and all relief that the Plaintiff may be entitled.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak – Walter Pietrczak
Attorney-in-fact.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 W. Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Thursday, September 23, 21

_____
William Z. White

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IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN (HAMMETT) **DEFENDANTS**

MOTION TO DECLARE CONTRACT VOID AB INITION FOR ILLEGALITY

AND

BRIEF IN SUPPORT THEREOF

Comes now counsel for Michael Pietrczak who in support of this Motion to Declare Contract Void Ab Initio and Brief in support thereof, states and alleges as follows:

1. Laura Lynn (Hammett) is not a licensed attorney.

2. Laura Lynn (Hammett) is a serial pro-se litigant with several current lawsuits pending both at the state and federal levels. It is highly probably Laura Lynn (Hammett) is representing her husband in several of those matters while he claims to be a "pro-se" litigant.

3. Laura Lynn (Hammett) has committed contempt of court by engaging in the unauthorized practice of law

4. Laura Lynn (Hammett) prepared a "contract" on behalf of herself and Michael Pietrczak purportedly creating a marriage between the two (2) proclaiming "We, Laura Lynn and Michael Pietrczak, consider ourselves to be husband and wife in the eyes of God, but do not believe the state has authority to control marriage". **See Attached Exhibit 1 – "Contract"**.

5. Unfortunately for the parties the State of Arkansas DOES control the formation and validity of marriages within its borders.

6. Marriage is more than only a civil contract; it is a social and domestic relation subject to regulation under the state's police power. Dodson v. State, 61 Ark. 57, 31 S.W. 977 (1895). See Ark. Code Ann. § 9-11-101.

7. In 1868 the Arkansas Supreme Court stated within Tatum v. Kelley, 25 Ark. 209, 210-11 (1868) that:

> No principle is better settled than that contracts that contravene the law are void, and that courts will never lend [**2] their [*211] aid in enforcing them. Illegal contracts are not such only as stipulate for something that is unlawful; but, where the intention of one of the parties is to enable the other to violate the law, the contract is corrupted by such illegal intention, and is void. *Pratt v. Adams*, 7 Paige Ch. 615; *The Branch Bank at Montgomery v. Crocheron, et al.*, 5 Ala. 250; *Beach v. Kezar*, 1 N.H. 184; *Steele v. Curle*, 34 Ky. 381, 4 Dana 381; *Armstrong v. Toler*, 24 U.S. 258, 11 Wheat. 258, 6 L. Ed. 468; *Giraday v. Richardson*, 1 Esp. 13; *Langton v. Hughes*, 1 *Maule & Selwgn*, 593; *Lightfoot, et al., v. Tenant*, 1 Bos. & P. 551; *Farmer v. Russell, et al.*, 1 Bos. & P. 295.

8. The attached "contract" presents prima facie evidence on its face that Laura Lynn (Hammett) attempted to circumvent Arkansas law regarding the formation of a valid marriage contained within Ark. Code Ann. § 9-11-101.

9. Further, it is undeniable that by drafting the "contract", Laura Lynn (Hammett) intended to enable Michael Pietrczak to violate Arkansas law regarding the formation of a valid marriage contained within Ark. Code Ann. § 9-11-101.

10. As indicated herein, this clearly renders the "contract" in question void ab initio.

WHEREFORE, Plaintiff respectfully requests that this Court determine that the "contract" attached hereto as exhibit 1 is void ab initio, grant the Plaintiff his costs (including a reasonable attorney's fee), and award all other relief that the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak – Walter Pietrczak
Attorney-in-fact.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 W. Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Thursday, September 23, 21

_____
William Z. White

We, Laura Lynn and Micheal Pietrczak, consider ourselves to be husband and wife in the eyes of God, but do not believe the state has authority to control marriage.

We each agree, that should we separate, we are each entitled to half the property we accumulated since December 2009, excluding any interest in Silver Strand Plaza, LLC or property inherited from Sandra and Norman Kramer, Laura's parents, that has not been comingled. Property includes 9985 Lick Fork Road in Witts Spring, Arkansas, The Estate Sale, the proceeds of litigation against Vicki Kahia, et al, and property bought with income from Silver Strand Plaza, LLC or other inherited income.

We make these statements of our own free will, and swear them to be true and correct under the laws of the State of Arkansas and in Jesus' name.

Micheal Pietrczak Date: Feb 23, 2015

Micheal Pietrczak

Laura Lynn Date: Feb 23, 2015

Laura Lynn

Notary Stamp

State of AR
County of Searcy
The foregoing instrument was acknowledged before me
this 23 day of February 2015
By Laura Sudith Lynn
Personally known ___ OR produced Identification ✓
Type Identification produced _____
Deborah L Loggins
Notary Public

DEBORAH L. LOGGINS NOTARY PUBLIC ARKANSAS SEARCY COUNTY 12400105 EXPIRES 8-7-2022

State of AR
County of Searcy
The foregoing instrument was acknowledged before me
this 23 day of February 2015
By Micheal Pietrczak
Personally known ___ OR produced Identification ✓
Type identification produced _____
Deborah L Loggins
Notary Public

DEBORAH L. LOGGINS NOTARY PUBLIC ARKANSAS SEARCY COUNTY 12400105 EXPIRES 8-7-2022

EXHIBIT 1 tabbies

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 1

Comparison of Signature Blocks Designating Who Directed Counsel to File Each

WHEREFORE, the Plaintiff, Michael Pietrezak, respectfully request that the Court: (1) deny Defendant's Motion for Summary Judgement: (2) strike Defendant's Motion for Summary Judgement from the record for reasons stated herein: and (3) grant the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

PLEADING IN THE ALTERNATIVE
RESPONSE TO DEFENDANTS' MOTION TO DISMISS

11. The proceeding paragraphs are incorporated here in as if set forth word for word pursuant to Ark. R. Civ. P. 10.

12. Plaintiff is without sufficient information or knowledge to form an opinion as to all the allegations set forth Defendant's Motion, therefore, denies same.

13. Plaintiff denies that Defendant is entitled to relief in general or that relief prayed for specifically within any section and/or sub-sections(if any) of the Defendant's Motion for Summary Judgement.

WHEREFORE, the Plaintiff, Michael Pietrezak, respectfully requests that this Court: (1) deny Defendants' Motion for Summary Judgment: and (2) grant the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiffs, Michael Pietrezak.

By: Wm. Zac

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: WZWhite@WZWhite.com

attorneys fees and costs pursuant to Ark. R. Civ. P. 11(c)(2)(D) and (c)(5), and for all other relief entitled whether specifically prayed for herein or not.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak – Walter Pietrczak
Attorney-in-fact.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 W. Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak – Walter Pietrczak
Attorney-in-fact.

By: Wm. Z. White

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
P.O. Box 1087 (Postal)
706 W. Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

REQUEST FOR ADMISSION OF FACT NO. 92: Admit that caring for an alcoholic and drug addict for six and a half years and then learning that it was a big fraud tore Lynn's heart out.

RESPONSE TO REQUEST FOR ADMISSION OF FACT NO. 92: Deny.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak.
By: */s/ William Z. White*
William Z. White (AR Bar No. 2007255)
706 West Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN (NOW HAMMETT'S) AMENDED RESPONSE TO PLAINTIFF'S MOTION TO STRIKE AND REPLY TO MOTION FOR SUMMARY JUDGMENT ON THE COMPLAINT OF MICHEAL PIETRCZAK; BRIEF IN SUPPORT

Comes Separate Defendant Laura Lynn (Herein referred to as "Defendant" or "Lynn"), in pro se, and for her Response to Plaintiff's Motion to Strike and Reply to Motion For Summary Judgment, states as follows:

1. As Plaintiff noted in paragraph 1 of what will be called here "Response" filed September 16, 2021 and posted September 17, 2021, "Hammett" filed a "Motion for Summary Judgment" on August 27, 2021.
2. Hammett replied to Plaintiff's response on September 17, 2021.
3. In paragraphs 2 through 4, Hammett contended that the response was due in 10 days plus weekends and holidays pursuant to ARCP Rule 6.
4. Hammett was wrong about the timing. As Plaintiff's counsel noted in his safe-harbor email and motion under Rule 11, the time to respond to Motions for Summary Judgment is different than the time to respond to most other motions. Hammett believes the Plaintiff's response was due exactly on September 17, 2021. This Reply is due today, September 24, 2021. (ARCP Rule 56(c))
5. Hammett apologizes for her mistake. This is the first Motion for Summary Judgment Hammett has ever filed in any court (which begs to differ with the Plaintiff's characterization of Hammett as a "serial pro se litigant".) It was an honest error.
6. The rest of the reply filed on September 17 remains unaltered, except for an illustration of the difference between the way Plaintiff's counsel designated whom was directing him to sign each of four documents.
7. Exhibit 1 attached hereto is a true and correct copy of the signature block of four pages from the docket, included together for ease of comparing and contrasting. The response filed on September 16, 2021 and posted the next day

(marked Exhibit Page 1); The signature block of the Rule 11 motion emailed to Hammett on September 23, 2021 (marked Exhibit Page 2); The Complaint filed April 23, 2021 (marked Exhibit page 3); and Responses to the First Set of Request for Admissions Propounded by Hammett (marked Exhibit Page 4).

8. The response was "Respectfully Submitted on Behalf of the Plaintiffs (sic), Michael (sic) Pietrczak."

9. The Rule 11 motion was "Respectfully submitted on behalf of the Plaintiff, Michael (sic) Pietrczak – Walter Pietrczak Attorney-in-fact."

10. The Complaint was "Respectfully submitted on behalf of the Plaintiff, Michael (sic) Pietrczak – Walter Pietrczak Attorney-in-fact."

11. The responses to the RFAs were "Respectfully Submitted on Behalf of the Plaintiff, Michael (sic) Pietrczak."

12. According to the American Bar Association https://www.americanbar.org/groups/real_property_trust_estate/resources/estate_planning/power_of_attorney/ an article section entitled "How the Agent Should Sign": "Assume Michael Douglas appoints his wife, Catherine Zeta-Jones, as his agent in a written power of attorney. Catherine, as agent, must sign as follows: Michael Douglas, by Catherine Zeta-Jones under POA or Catherine Zeta-Jones, attorney-in-fact for Michael Douglas."

13. It appears the responses to RFAs and the response to the motion for summary judgment were written at the direction of Micheal Pietrczak; the Complaint and the Rule 11 Motion were written at the direction of Walter Pietrczak acting as agent to Micheal Pietrczak.

14. But according to Micheal Pietrczak's responses to the RFAs, he revoked the Power of Attorney from his father before the Complaint was filed. Therefore

Walter Pietrczak was not agent and did not have standing at the time the complaint was filed and is therefore ineffective.

15. The Plaintiff claims in the Motion to Strike section that Hammett's "Motion for Summary Judgement ('Motion') fails to state with particularity the grounds of the motion and/or failed to set forth the relief or order sought." (Response ⁋ 2)

16. Hammett gave facts detailed in the Motion for Summary Judgement paragraphs 1 through 8 inclusive that support the statement in paragraph 6: "**Micheal Pietrczak terminated the Power-of Attorney and it was not in effect on April 23, 2021 when the present suit was filed by Walter Pietrczak via attorney William Z. White.**" Bold added for emphasis.

17. **Further, Micheal Pietrczak disavowed the allegations made in the complaint in Request number 5**. (Motion for Summary Judgment ⁋⁋ 9-11)

18. Walter Pietrczak had no standing to bring suit on behalf of Micheal Pietrczak at the time the suit was filed. Micheal Pietrczak (and Mr. White) are hedging their bets, disavowing the complaint, not issuing summons to one defendant and not serving the other defendant, so as not to be found liable for malicious prosecution and abuse of process. In the meantime, wasting Hammett's and the Court's resources.

19. Plaintiff claims in paragraph 3 of the Motion to Strike section "Defendant's Motion makes no requests for relief, no demand for relief, nor does the Motion contain a prayer for relief as required pursuant Ark. R. Civ. P. 7(b)(1)."

20. The Document is titled and the opening paragraph state that it is a Motion for Summary Judgment. Hammett moved the court, in layman's terms "asked the Court" to decide the complaint on the existing pleadings and other papers.

21. "**summary judgment** (18c) A judgment granted on a claim or defense about which there is no genuine issue of material fact and on which the movant is entitled to prevail as a matter of law. • The court considers the contents of the pleadings, the motions, and additional evidence adduced by the parties to determine whether there is a genuine issue of material fact rather than one of law. This procedural device allows the speedy disposition of a controversy without the need for trial. Fed. R. Civ. P. 56" SUMMARY JUDGMENT, Black's Law Dictionary (11th ed. 2019)

22. Hammett moved the Court to follow the law by deciding the case on the matter of law that is a lack of standing. "Because Walter Pietrczak did not have standing when the Complaint was filed on behalf of plaintiff, the Complaint must be dismissed with prejudice." (Motion for Summary Judgment paragraph 17)

23. In the Motion to Strike section paragraph 4, Plaintiff copied the Ark. R. Civ. Pro. Rule 7(a and b) verbatim. But here and throughout all Plaintiff's papers filed in this case, Plaintiff misuses the word "pleadings" to mean any document filed. This is not a typo. It is a misuse of the word and here, shows he contends that a motion is one of the seven "pleadings" allowed in Rule 7(a).

24. The Response section paragraphs 11 to 13 are deficient as a response to a motion, besides being untimely.

25. "All motions required to be in writing and any responses and replies shall include a brief supporting statement of the factual and legal basis for the motion, response, or reply and the citations relied upon." Ark. R. Civ. Pro. Rule 7(b)(2).

26. It is bizarre that a licensed attorney is writing that he is "without sufficient information or knowledge to form an opinion as to all allegations set forth [in] Defendant's motion, therefore, denies same." (Response ¶ 12)

27. The Defendant, even though she is not an attorney, presented caselaw that is exactly on point that Walter Pietrczak lacked standing to bring an action on behalf of Micheal Pietrczak, "thereby rendering original complaint a nullity, where [Walter Pietrczak] had not been appointed as [Power of Attorney to Micheal Pietrczak] at time of filing of action."

28. The Defendant thus moves the Court for an order of Default Judgment dismissing the Complaint of Micheal Pietrczak, with prejudice.

This 24th day of September, 2021.

Respectfully submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on September 24, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) Amended Response to Defendant's Motion to Strike and Response to Motion For Summary Judgement on the Complaint of Micheal Pietrczak and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

September 24, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett

16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

HAMMETT'S REPLY TO PLAINTIFF'S RESPONSE TO MOTION FOR RECONSIDERATION OF THE "ORDER" FILED AUGUST 20, 2021: BRIEF IN SUPPORT

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Laura Lynn" and "Hammett"), in pro se, and for her Reply to Plaintiff's untimely Response to Motion for Reconsideration of the "Order" Filed August 20, 2021 states as follows:

1. On September 21, 2021, Plaintiff filed an untimely response to Hammett's motion for reconsideration of the orders made on August 20, 2021, the motion filed on August 31, 2021.
2. The response was an admitted violation of ARCP Rule 11 and devoid of any argument or authorities.
3. The body of the response is one paragraph, comprised of one sentence. "Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraphs 1 - 44 of Defendant's Motion, therefore, denies same."
4. The response was "Respectfully Submitted on Behalf of the Plaintiff, Michael Pietrczak." But the plaintiff in the complaint filed is "Micheal Pietrczak (hereafter referred to as 'Pietrczak') - --, Walter Pietrczak, Power of Attorney-in-Fact". (See Complaint, Docket No. 1, page 1, first sentence.)
5. Because the named plaintiff did not have standing at the time the complaint was filed, and there were no Doe defendants named, it is improper to attempt to add a new plaintiff in this way.

BRIEF IN SUPPORT

6. ARCP Rule 11(b) begins: "The signature of an attorney or party constitutes a certificate by the signatory that to the best of his or her

knowledge, information, and belief, **formed after an inquiry reasonable under the circumstances**:" (Bold added.)

7. Plaintiff's counsel said he is "without sufficient information or knowledge to form an opinion as to" whether or not:

8. "The Court filed two documents on August 20, 2021 at 16:25:08. One is entitled 'Order to Strike'. The other is entitled "Order". It is the "Order" that is addressed here." (Motion ¶1);

9. "In Order paragraph 1, the Court said '[] Laura Lynn filed a motion to continue.' The Court did not acknowledge that Hammett withdrew her motion to continue in her reply filed August 2, 2021, paragraph 9 and wherefore paragraph at the end. The Court also did not acknowledge that Hammett opposed the continuance during the hearing of August 4, 2021. See transcript page 22 line 20 to line 25 and page 21 line 8 to 15." (Motion ¶6);

10. "In Order paragraph 1, the Court also said '[] the parties were not ready to proceed that day.' Hammett was ready to proceed. Plaintiff was not ready to proceed, though he filed an opposition to the continuance on July 31, 2021. See transcript page 22 line 20 to line 25. Plaintiff filed no exhibits with the Court Reporter. Transcript page 8 line 9 to page 9 line 7."(Motion ¶7); or

11. Any of the other irrefutable facts in the 44 paragraph motion.

12. Plaintiff's counsel appears to have made no inquiry into any facts and has asked for attorney fees several times, so it would be reasonable for him to have read the documents filed…especially the orders of the Court.

13. Pursuant to Ark. R. Civ. Pro. Rule 6(c), "Any party opposing a motion shall serve a response within 10 days after service of the motion." Rule 6(a)

extends this time. “When the period of time prescribed or allowed is less than fourteen (14) days, intermediate Saturdays, Sundays, or legal holidays shall be excluded in the computation.” Rule 6(c) allows the Court to change this timing by order. “The time periods set forth in this subdivision may be modified by order of the court[].” No order was made extending the time. No motion was made for an extension of time, written or oral, unless Hammett was not made privy to the communication.

14. The Motion for Reconsideration was filed on August 31, 2021. The response was due by September 15, 2021. It was not filed until September 21, 2021. It was therefore untimely.

15. “All motions required to be in writing and any responses and replies shall include a brief supporting statement of the factual and legal basis for the motion, response, or reply and the citations relied upon.” Ark. R. Civ. Pro. Rule 7(b)(2). No supporting brief was included in the response. No factual or legal basis was given for the response. No citations were made.

16. Hammett asks the Court to reconsider the orders made on August 20, 2021 to provide substantial justice and equal protection under the law to all parties, even those not represented by attorneys.

Submitted this 24th day of September, 2021.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road

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Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on September 24, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Motion for Reconsideration of the "Order" of August 20, 2021; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

September 24, 2021 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 1

AFFIDAVIT OF LAURA LYNN HAMMETT IN SUPPORT OF HAMMETT'S RESPONSE TO MOTION TO DECLARE CONTRACT VOID "AB INITION" FOR ILLEGALITY : BRIEF IN SUPPORT

I Laura Lynn Hammett swear the following is true to the best of my knowledge and belief and is based on my personal observations:

1. I am not a licensed attorney.
2. I have several lawsuits pending in the State and Federal Courts. Each suit is meritorious. The only reason I might lose any suit is that I make a technical error or the judge presiding has a bias that causes the judge to make multiple errors.
3. My husband is a co-plaintiff in only one suit.
4. I invoke my fifth amendment right against self-incrimination, and the way my co-plaintiff and I work together is a matter of work product privilege, so I will give no further details. I will say that I have written about judges and attorneys, having my work featured on Fox News and stories picked up by the Associated Press, and so I am extra careful to follow every law I know about. I have no criminal history, arrest record and have never been found in contempt of court.
5. Mr. White was not present when the contract was written. He has no first hand knowledge of the circumstances surrounding the formation of the contract.
6. I was present when the contract was formed. Pietrczak had returned from another drunken couple of days and nights in a seedy motel in Marshall. Pietrczak said he had lost $6,000 to a young girl and a young man who claimed to be her brother. (This is not said for the truth, but that it was said.) I told Pietrczak I would not give him anymore of my LLC distributions,

which were over $3,000 per month, because everything we earned since we met, we used my capital to earn, and we put everything in his name. Pietrczak said we could write a contract agreeing to split everything we earned together using my LLC distributions as capital. We wrote the contract shown in Motion exhibit 1. I physically put words on paper, but it was a collaboration.

7. I did not trick Pietrczak into signing. Nor did I put a gun to his head. Our neighbor Nancy Weaver is a notary. She has seen Pietrczak drunk many times, but when he signed the contract he was sober.

8. The agreement is not a marriage contract. We specifically decided not to get married. I believed the reason Pietrczak did not want to get married by the state is as we wrote in the agreement, it just is not the states business. Pietrczak expressed his fear that my former spouse would get to take Pietrczak's money if we married legally (which may or may not be true, but that is what Pietrczak said). I personally felt like the State was beginning to call a bond between two men or two women "marriage" and did not want to call what I believe God wants for us the same thing as what the State wants. I believed Pietrczak and I were married in the eyes of God, but not in the eyes of the State.

9. I did not file for divorce after Pietrczak and I separated.

10. I married legally and in the eyes of God a wonderful man, with Pastor Jim Arnold officiating and his wife Diana Arnold as witness.

11. I did not show the State or Pastor Jim an illegal divorce certificate. I never claimed to be legally married, so I did not need to be illegally divorced.

12. I was legally married three times (once was annulled because the man could not consummate the marriage). Pietrczak was never legally married to the best of my knowledge.
13. Walter Pietrczak was not a witness to the contract or its formation.
14. I swear under the laws of the State of Arkansas and the United States of America that the foregoing is the truth, under penalty of perjury.

Submitted this 24th day of September, 2021.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on September 24, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Exhibit 1, Affidavit in Support of Response to Motion to Declare Contract Void Ab Initio for Illegality; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

September 24, 2021 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

HAMMETT'S RESPONSE TO MOTION TO DECLARE CONTRACT VOID "AB INITION" FOR ILLEGALITY : BRIEF IN SUPPORT

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Hammett"), in pro se, and for her Response to Plaintiff's Motion to Declare Contract Void "Ab Inition" states as follows:

1. As further evidence that Judge Susan K. Weaver appears to have a bias in favor of the Plaintiff in this case, Plaintiff's counsel is trying to avoid allowing a jury to decide the truth of the factual allegations in the Complaint.
2. On September 24, 2021, Plaintiff filed a motion to declare a "contract" void "ab inition". Hammett assumes Plaintiff's attorney meant "Ab Initio" and will use that term throughout this document and in any further reference in subsequent documents.
3. Hammett agrees she is not a licensed attorney, as stated in paragraph 1 of the motion.
4. Hammett has several lawsuits pending in the State and Federal Courts, as per Motion paragraph 2, which makes Mr. White's malicious prosecution of this suit more egregious. He is wasting valuable time.
5. In response to motion paragraph 2, Hammett's husband is a plaintiff in only one suit. Plaintiff gives no evidence supporting his allegation that it is "highly probably (sic) Laura Lynn (Hammett) is representing her husband in several of those matters while he claims to be a 'pro-se' litigant." The way the Hammetts collaborate on writing joint motions is protected by the work product privilege, and so Hammett need not admit or deny the allegation.

6. To the extent that Plaintiff is attempting to illicit an admission of criminal conduct, Hammett invokes her fifth amendment right against self-incrimination.

7. As to motion paragraph 3, Plaintiff's counsel should know that contempt is a psudo-criminal charge and he is making allegations improperly. If he does file a motion for contempt, Hammett, who is extremely low income, will qualify for a public defender. Since Plaintiff is complaining about something that allegedly happened over five years ago, and not in court proceedings, it seems like the Court is wasting more taxpayer resources if she enables the Plaintiff's conduct.

8. As to motion paragraph 4, Plaintiff's counsel is testifying to alleged facts with no supporting affidavits or other evidence. Hammett physically wrote the document, but both parties decided what to write and it was Micheal Pietrczak who was committing fraud.

9. As per the affidavit of Laura Lynn Hammett attached as exhibit 1, Pietrczak had returned from another drunken couple of days and nights in a seedy motel in Marshall. Pietrczak said he had lost $6,000 to some young girl and a young man who claimed to be her brother. (This is not said for the truth, but that it was said.) Hammett told Pietrczak she would not give him anymore of her LLC distributions, which was over $3,000 per month, because everything they earned together using Hammett's capital was already in his name. Pietrczak said they could write a contract agreeing to split everything they earned together using Hammett's LLC distributions as capital, the result which is the contract in question.

10. The formation of the contract is a matter of fact for the jury to decide.

11. It is telling that Plaintiff has not here or in the Complaint explained with specificity how or why Hammett convinced him to sign the agreement.

12. The agreement is not a marriage contract. Both parties agreed they were not married by man's law, and that is why they needed a written contract about how to divide their property earned through a joint lawsuit in which they were each pro se plaintiffs. (Pietrczak worked with Hammett at each step of that lawsuit, though Hammett is a trained journalist, so she put their joint ideas into words on paper. Pietrczak was a huge liability, because of his alcohol abuse. A Stanford-Hastings trained lawyer would not take the case on contingency because he refuses to represent alcoholics.)

13. The contract formed (motion exhibit 1) had all the elements of a legal contract. The contract did not claim Laura Lynn (now Hammett) and Micheal Pietrczak were legally married.

14. Neither party filed for divorce after they separated.

15. Hammett has since married legally a wonderful man, with Pastor Jim Arnold officiating and his wife Diana Arnold as witness.

16. Not marrying by the state and putting their joint assets in Pietrczak's name were both Pietrczak's idea. He claimed it was to keep Hammett's money safe from her former spouse, but it appears the real reason was so he could defraud the older Christian woman.

17. Hammett was legally married three times (once was annulled because the man could not consummate the marriage). Pietrczak was legally married never. That is good evidence of who was formulating the contract.

18. To the extent that the motion is deemed by the Court to be testimonial evidence, the motion was written on behalf of Walter Pietrczak as Power of

Attorney to Micheal Pietrczak. Hammett restates that Micheal Pietrczak has denied that Walter Pietrczak was still his agent at the time the complaint was filed, thus Walter Pietrczak lacked standing.

19. Regardless, even if Walter Pietrczak had standing, he cannot testify to events he has no personal knowledge about. Walter Pietrczak was not a witness to the contract or its formation.

BRIEF IN SUPPORT

20. "**ab initio** (ab i-**nish**-ee-oh) *adv.* [Latin] (16c) From the beginning <the injunction was valid ab initio>. Cf. in initio." AB INITIO, Black's Law Dictionary (11th ed. 2019)

21. The contract specifically states that Laura Lynn and Micheal Pietrczak were married in the eyes of God but did not claim to be married in the eyes of the state. This Court may not abridge the citizens' Constitutional right to practice their religion of choice, the way they see fit.

22. While there is some debate as to whether persons may claim to be married legally, the Court can never tell a couple they are not married in the eyes of God. If this Court makes the error of ordering that the statement "We consider ourselves to be married in the eyes of God" is somehow illegal or contempt of Court, the order will be challenged up to the United States Supreme Court.

23. "In order for a contract to exist, there must be: (a) competent parties, (b) subject matter, (c) legal consideration, (d) mutual agreement, and (e) mutual obligations." *Kearney v. Shelter Ins. Co., 71 Ark. App. 302, 29 S.W.3d 747 (2000*)

24. Plaintiff has given no evidence that he or Hammett were incompetent at the time the contract was formed.

25. The subject matter was not as the Plaintiff contends, to marry the partners in the eyes of the state. The subject matter was how to divide property if the partners, who as a matter of faith but not legally considered themselves to be husband and wife, separated.

26. The consideration was their mutual promises. "For the purpose of establishing the existence of a contract, mutual promises constitute 'consideration,' each for the other." Id.

27. Mutual agreement is evidenced by the fact that both parties signed the contract in front of a notary, Nancy Weaver, who has agreed to testify at the trial that Pietrczak was not intoxicated when he signed the contract.

28. The mutual obligation was to divide their property, including any mortgage that was held in either name, 50/50.

29. Hammett was ready, willing and able to perform her end of the bargain, and Pietrczak refused.

30. Hammett asks this Court to deny the motion to declare the contract void ab initio and allow a jury to decide who breached the contract and what the damages for that breach were suffered.

Submitted this 24th day of September, 2021.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
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CERTIFICATE OF SERVICE

I hereby certify that, on September 24, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Response to Motion to Declare Contract Void Ab Initio for Illegality; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

September 24, 2021 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **NO. 65CV-21-20**

RURAL REVIVIAL LIVING TRUST
AND LAURA LYNN **DEFENDANT**

ORDER DENYING MOTION FOR RECUSAL

On this 23rd day of September, 2021, a Motion for Recusal in the above-entitled cause of action was presented to the Court. The Court, based on the pleadings and all other considerations before the court, doth hereby FIND, ORDER, ADJUDGE, AND DECREE:

The Court makes the following findings of fact and conclusions of law.

1. A judge is presumed to be impartial, and the party seeking recusal must demonstrate bias or prejudice on the part of the judge. *Ferren v. USAA Ins. Co.*, 2015 Ark. App. 477, 469 S.W.3d 805. The burden of proving bias and prejudice is substantial. *Duty v. State,* 45 Ark. App. 1, 871 S.W.2d 400 (1994).
2. This court has no personal, professional, or pecuniary interest in the outcome of Mrs. Laura Lynn (Hammett)'s case.
3. The Supreme Court has held that whether a judge has become biased to the point that he or she should disqualify himself or herself is a matter to be confined to the conscience of the judge. *Irvin v. State*, 345 Ark. 541, 49 S.W.3d 635 (2001).

Accordingly, this judge has examined her conscience and certain that she can be fair and impartial to all involved.

For the foregoing reasons, this Court denies the Motion for Recusal.

IT IS SO ORDERED.



CIRCUIT JUDGE

09/24/2021

DATE

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION FOR ORDER OF RECUSAL OF JUDGE SUSAN K. WEAVER

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Hammett"), in pro se, and for her Motion for Order of Recusal of Judge Susan K. Weaver, states as follows:

1. Judge Susan Kaye Weaver is a defendant in a lawsuit filed by Laura Lynn Hammett, 4:21-cv-857-BRW, for the deprivation of Hammett's Constitutional rights to due process and equal protection protected by the 5th and 14th Amendments. There is no Judicial Immunity extended to administrative acts, nor acts taken outside the jurisdiction of the court while not on the bench, such as conspiring to make an inaccurate transcription of the hearing of August 4, 2021.
2. Accordingly, the Court should recuse itself or stay the proceedings pending resolution of the case in which Judge Weaver is a defendant.

BRIEF IN SUPPORT

3. "Canon 2 of the Arkansas Code of Judicial Conduct provides that a 'judge shall perform the duties of judicial office impartially, competently, and diligently.' Rule 2.11(A)(1) of the Code provides that a judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including when the judge has a personal bias or prejudice concerning a party or a party's lawyer." *Matter of Est. of Edens, 2018 Ark. App. 226, 19, 548 S.W.3d 179, 190–91 (2018*)
4. "The proper administration of the law requires not only that judges refrain from actual bias but also that they avoid all appearance of unfairness. *Id.* When a judge exhibits bias or the appearance of bias, the appellate court will reverse." Id 191.

5. Judge Weaver has a pecuniary interest in wasting Hammett's time and resources, perhaps finding Hammett in contempt of court for some imagined offense or for stating her religious beliefs as the preamble to a contract five years ago.
6. Of course all the Judge's misconduct is more evidence of her malice toward Hammett, but Hammett would rather rest her case on the misconduct that has already occurred.

WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays that her Motion for Recusal of Judge Susan K. Weaver be granted, in this and all cases present and future.

This 27rd day of September, 2021.

Respectfully submitted,

/S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
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(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on September 27, 2021 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Motion for Recusal of Judge Susan K. Weaver and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

September 27, 2021 /S/ Laura Lynn Hammett

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Defendant and Counterclaimant, pro se

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Exhibit A

Re: Hammett Pietrczak confidential settlement offer

From: William Z. White (wzwhite@wzwhite.com)

To: bohemian_books@yahoo.com

Date: Tuesday, September 28, 2021, 12:10 PM CDT

You have been instructed not to contact my client. Guess there is another issue to hold you in contempt over.

This message was sent from my iPhone. Please excuse any typographical or punctuation errors.

On Sep 28, 2021, at 11:22 AM, William Z. White <wzwhite@wzwhite.com> wrote:

I have been instructed there will be no settlements short of you relinquishing all claims to the property. So save your emails regarding the matter.

This message was sent from my iPhone. Please excuse any typographical or punctuation errors.

On Sep 28, 2021, at 10:37 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

Any settlement should be signed by Walter Pietrczak as Power of Attorney to Micheal Pietrczak and Micheal Pietrczak. I don't agree that Walter Pietrczak still has POA, because Micheal said he did not, in writing, but we should have that in the agreement so Walter has even less chance of winning any further frivolous suit.

I reject your offer.

----- Forwarded Message -----
From: Laura Lynn <bohemian_books@yahoo.com>
To: William Z. White <wzwhite@wzwhite.com>
Sent: Tuesday, September 28, 2021, 10:27:38 AM CDT
Subject: Re: Hammett Pietrczak confidential settlement offer

Please give my settlement offer to Walter Pietrczak.

Kind Regards,

Laura Hammett

On Tuesday, September 28, 2021, 10:13:04 AM CDT, William Z. White <wzwhite@wzwhite.com> wrote:

Thank you for your entertaining email. You will lose this lawsuit pretty soon. And I will be suing you regarding the frivolous lawsuit you filed in federal court. You will lose any and all claims you wrongly believe you have to the

property in question in this case. Get ready because I plan to have you held in contempt of court and seek to have you placed in jail for a period of time for that contempt. I also plan to notice you and your husband up for depositions pretty soon. Best thing for you would be to enter a consent judgment removing any claim you think you have to the underlying real property and agree to pay me $25,000.00 in legal fees for having to deal with your ridiculous litigation efforts. I look forward to winning this case and hopefully I will see you spend some time in jail for making a mockery of the Arkansas judicial system. I can tell that you are getting nervous and that you realize you are on the losing side of this case.

This message was sent from my iPhone. Please excuse any typographical or punctuation errors.

On Sep 28, 2021, at 7:12 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

Mr. White,

Pietrczak is a is a life-long substance abuser. He was fresh out of prison when we met, was sober, and is a great guy sober. He had $3.71 cents in his pocket and thousands of dollars in debt.

Six years later when I broke up with him, we had used my money (about $360,000 of passive investment income) and both our time and effort to accumulate a property we paid $145,000 for, two vehicles, two ATVs, and no savings. We had a written agreement to split everything 50/50 if we broke up which was notarized by the County Clerk Debbie Loggins.

Pietrczak is suing me for the entire property plus punitive damages of $300,000 because I supposedly tricked him into signing the agreement that let him keep 50% of everything without offset for the capital I invested.

I was willing to let Pietrczak keep $75,000 plus a truck and ATV when I finally quit. I also told Judge Gibson, who was Mike's attorney at the time, that I would put another $75,000 in a trust for Mike, as long as Mike's dad was not trustee.

I rescinded my offer when you decided to file a frivolous lawsuit against me.

Now Mike will probably get nothing and if he had any money, I would get punitive damages.

It seems like Mike has a pretty good legal malpractice case against you.

I will settle with Mike if he gets a $145,000 settlement from you and gives that money to me. The Lick Fork property will be sold and Mike can have 33%.

I have an attorney looking at the case (and all my cases). If we sign a retainer agreement, my offer is rescinded.

Please forward my settlement offer to your client.

Thank you,

Laura Hammett

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Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Sep-28 14:19:43
65CV-21-20
C20D01 : 7 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S SUPPLEMENTED MOTION FOR ORDER OF RECUSAL OF JUDGE SUSAN K. WEAVER

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Hammett"), in pro se, and for her Supplemented Motion for Order of Recusal of Judge Susan K. Weaver, states as follows:

1. Hammett filed a motion for recusal yesterday, September 27, 2021.
2. Hammett is supplementing the motion for recusal based an an email sent by attorney White today at 10:13 AM, and the setting of a hearing for October 7, 2021 yesterday.
3. Judge Susan Kaye Weaver is a defendant in a lawsuit filed by Laura Lynn Hammett, 4:21-cv-857-BRW, for the deprivation of Hammett's Constitutional rights to due process and equal protection protected by the 5th and 14th Amendments. There is no Judicial Immunity extended to administrative acts, nor acts taken outside the jurisdiction of the court while not on the bench, such as conspiring to make an inaccurate transcription of the hearing of August 4, 2021.
4. Plaintiff's attorney William Z. White and Court Reporter Jana Perry are co-defendants in the case filed in the United States District Court for the Eastern District of Arkansas.
5. Today, Hammett received an email from Mr. White (a true and correct copy attached here as Exhibit A). In it Mr. White wrote: "Get ready because I plan to have you held in contempt of court and seek to have you placed in jail for a period of time for that contempt."
6. Further: "I look forward to winning this case and hopefully I will see you spend some time in jail for making a mockery of the Arkansas Judicial

system. I can that you are getting nervous and that you realize you are on the losing side of this case."

7. Mr. White is correct about Hammett being nervous and knowing that she is going to need to take this case through an appeal, because the Court is so apparently biased against her.
8. Also, there is rarely a civil remedy against a judge, even if that judge does something completely corrupt from the bench. For a private right of action, a judge must do something with a total lack of jurisdiction or in an administrative function.
9. Mr. White sounds eerily confident that Judge Weaver will order Hammett incarcerated.
10. One allegedly contemptuous behavior Mr. White has cited is that Hammett and Pietrczak wrote "We, Laura Lynn and Micheal Pietrczak, consider ourselves to be husband and wife in the eyes of God, but do not believe the state has authority to control marriage." And that, perfectly protected speech, was written in 2015. They were saying that they did not want a civil union, like the state authorizes between man and woman, or two men, or two women. They had the "marriage" described in the Bible.
11. Mr. White filed a "MOTION TO DECLARE CONTRACT VOID AB INITION FOR ILLEGALITY" on September 23, 2021. In it he wrote "Laura Lynn (Hammett) has committed contempt of court by engaging in the unauthorized practice of law".
12. Mr. White then went on to explain how the marriage statement purportedly is the unauthorized practice of law, and that it is the illegal formation of an invalid marriage. The statement in no way tried to create a civil marriage. It

denounced civil marriage and only acknowledged Hammett's religious belief and Pietrczak's feigned religious belief.

13. While a motion for contempt would normally require more than this, Judge Weaver does things for Mr. White that she does not "normally" do.
14. Mr. White was granted a hearing on the motion set for October 7, 2021. Even though the setting form states "it is the responsibility of the party requesting the setting to notify all opposing counsel (or parties)", the Trial Court Administrator gave notice by email on September 28, 2021.
15. The hearing is to be held in person in a county that is almost two hours from Hammett's home and probably four hours from Pietrczak's home.
16. The purpose of the hearing is supposedly to decide if the contract is void as a matter of law because the preamble made the statement about why Pietrczak and the Lynn did not get a married by the state. The actual contract said they were going to divide their property 50/50 if they broke up. (If Pietrczak wanted to keep everything that was already in his name, he should have let the State marry them, like James and Laura Hammett.)
17. Hammett is reasonably concerned that the Court and Mr. White plan together to have Hammett incarcerated for alleged contempt on October 7, 2021. If a reasonable person might believe that the Court would do something abnormal, like locking her up on a pretense, then it does not matter if the Court's conscience is bothering her or not.
18. The Court should recuse itself or stay the proceedings pending resolution of the case in which Judge Weaver is a defendant.
19. Mr. White also expressed belief that *he* is the Court.

20. In the email chain attached as Exhibit A, September 28 at 12:10 PM Mr. White wrote "You have been instructed not to contact my client. Guess there is another issue to hold you in contempt over."
21. The Court did not instruct Hammett not to contact Mr. White's client. Mr. White instructed Hammett not to contact his client. Hammett told Mr. White that she is not required to follow that rule of professional conduct as it does not apply to the parties.
22. Pietrczak contacted Hammett several times while the first suit filed by Mr. White against "Laura Lynn" was pending. Hammett tape recorded the calls.
23. There is an appearance of bias when an attorney thinks disobeying him is "contempt of court".

BRIEF IN SUPPORT

24. "Canon 2 of the Arkansas Code of Judicial Conduct provides that a 'judge shall perform the duties of judicial office impartially, competently, and diligently.' Rule 2.11(A)(1) of the Code provides that a judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including when the judge has a personal bias or prejudice concerning a party or a party's lawyer." *Matter of Est. of Edens, 2018 Ark. App. 226, 19, 548 S.W.3d 179, 190–91 (2018*)
25. "The proper administration of the law requires not only that judges refrain from actual bias but also that they avoid all appearance of unfairness. *Id.* When a judge exhibits bias or the appearance of bias, the appellate court will reverse." Id 191.

26. Judge Weaver has a pecuniary interest in wasting Hammett's time and resources, perhaps finding Hammett in contempt of court for some imagined offense or for stating her religious beliefs as the preamble to a contract five years ago.

27. Of course all the Judge's misconduct is more evidence of her malice toward Hammett, but Hammett would rather rest her case on the misconduct that has already occurred.

WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays that her Motion for Recusal of Judge Susan K. Weaver be granted, in this and all cases present and future.

This 28th day of September, 2021.

Respectfully submitted,

/S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on September 28, 2021 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Supplemented Motion for Recusal of Judge Susan K. Weaver and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

September 28, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Sep-28 14:31:10
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN (HAMMETT) **DEFENDANTS**

RESPONSE TO HAMMETT'S SECOND MOTION FOR ORDER OF RECUSAL

AND

BRIEF IN SUPPORT THEREOF

Comes now counsel for the Plaintiff who in support of this Response to Hammett's Second Motion for Order of Recusal, and Brief in support thereof, states and alleges as follows:

1. Laura Lynn (Hammett) is not a licensed attorney.

2. Laura Lynn (Hammett) is a serial pro-se litigant with several current lawsuits pending both at the state and federal levels. Laura Lynn (Hammett) has a history of committing the unauthorized practice of law and it is highly likely that she is currently representing her husband in several of those matters while he claims to be a "pro-se" litigant.

3. The allegations contained within Laura Lynn's (Hammett) Second Motion for Order of Recusal are non-sensical and are hereby denied.

4. Pleading affirmatively, Laura Lynn (Hammett) is convinced that her rudimentary legal knowledge is somehow superior to and controlling upon the parties, counsels of record, administrative employees of the Court, and the Court itself. Pleading further, Laura Lynn (Hammett) is attempting to engage in forum shopping because she simply does not like the fact that the Court has issued rulings against her. Also, Laura Lynn (Hammett) has allegedly filed a

frivolous lawsuit against Honorable Susan Weaver and counsel for the Plaintiff. Counsel for the Plaintiff will file a countersuit against Laura Lynn Hammett.

5. Further, Laura Lynn's (Hammett) Second Motion for Order of Recusal violates the Arkansas Rules of Civil Procedure by failing to state sufficient facts supporting her conclusory legal statements.

6. Counsel for the Plaintiff cannot even remotely concoct a situation in which Honorable Susan Weaver might have a "pecuniary interest in wasting Hammett's time and recourses….". Pleading affirmatively, Laura Lynn (Hammett) is the person wasting this Court's and counsel for the Plaintiff's time and resources.

7. Laura Lynn Hammett is in direct and indirect contempt of this Court's authority and a motion setting forth the basis for that contempt will be filed contemporaneously herewith this response when it is finalized.

8. Further, there has been no "malice" or "misconduct" committed by this Court. Laura Lynn (Hammett) spews her vile baseless allegations against this Court and counsel for the Plaintiff because she has no valid legal argument otherwise.

WHEREFORE, the Plaintiff respectfully requests that this Court deny Laura Lynn's (Hammett) Second Motion for Order of Recusal of Judge Susan K. Weaver, award the Plaintiff's fees and costs (including a reasonable attorney's fee) for the necessitation of defending yet another frivolous pleading, and grant any and all relief that the Plaintiff may be entitled.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak – Walter Pietrczak
Attorney-in-fact.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 W. Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Tuesday, September 28, 21

_____
William Z. White

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Sep-28 17:15:10
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN (HAMMETT) **DEFENDANTS**

MOTION FOR ORDER FOR EXAMINATION

AND

BRIEF IN SUPPORT THEREOF

Comes now counsel for the Plaintiff who in support of this Motion for Order for Examination, and Brief in support thereof, states and alleges as follows:

1. Laura Lynn (Hammett) is not a licensed attorney.

2. Laura Lynn (Hammett) has a history of engaging in the unauthorized practice of law.

3. Laura Lynn (Hammett) has filed numerous voluminous documents and pleadings with the Searcy County Court Clerk regarding this matter in excess of seventy (70) times to date in approximately five (5) months.

4. In approximately fourteen (14) years counsel for Plaintiff has never experienced such behavior by any litigant similar to that of Laura Lynn (Hammett) and believes that it is well outside the normal conduct of a litigant.

5. A common theme throughout Laura Lynn's (Hammett) filings is what appears to be paranoid delusions that this Court and the legal system is "out to get" Laura Lynn (Hammett).

6. Another common theme seems to be that Laura Lynn (Hammett) feigns a religious piousness in that she seems to claim that she knows the will of God, the biblical

underpinnings of marriage, and that her behavior in life is vastly religiously superior to the Plaintiff supposedly entitling her to relief against the Plaintiff. It should also be noted that Laura Lynn (Hammett) continually attempts to validate her actions and requests for relief by invalidating the Plaintiff's past and current mental conditions.

7. Further, many of Laura Lynn's (Hammett) filings are disjointed, discombobulated, confusing, irrelevant, and seem t represent a markedly difficult attempt to communicate her thoughts, legal or otherwise.

8. Counsel for the Plaintiff is concerned that as Laura Lynn (Hammett) advances in age that her mental and psychological condition may be in controversy.

9. Ark. R. Civ. P. 35(a) states:

> **(a) Order for Examination.** -- When the mental or physical condition (including the blood group) of a party, or a person in the custody or under the legal control of a party, is in controversy, the court in which the action is pending may order the party to submit to a physical examination by a physician or a mental examination by a physician or a psychologist or to produce for the examination the person in his custody or legal control. The order may be made only on motion for good cause shown and upon notice to the person to be examined and to all parties and shall specify the time, place, manner, conditions and scope of the examination and the person or persons by whom it is to be made.

10. Counsel for Plaintiff believes that it is appropriate and prudent to request that this Court consider ordering the mental and psychological evaluation of Laura Lynn (Hammett) by both a medical physician and a psychologist to determine Laura Lynn's (Hammett) mental and psychological condition (as appropriate) so that she understands the seriousness of the situation she seems to so haphazardly be placing herself into. Particularly, counsel for the Plaintiff is preparing a motion for contempt and requesting the incarceration of Laura Lynn (Hammett). Counsel for Plaintiff will not request such a penalty if Laura Lynn (Hammett) is mentally or psychologically impaired in any way.

WHEREFORE, the Plaintiff respectfully grant this motion on the basis set forth herein, award the Plaintiff's fees and costs (including a reasonable attorney's fee) for the necessitation of

filing yet another pleading, and grant any and all relief that the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak – Walter Pietrczak
Attorney-in-fact.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 W. Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Tuesday, September 28, 21

_____
William Z. White

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Sep-28 17:18:08
65CV-21-20
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IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN (HAMMETT) **DEFENDANTS**

RESPONSE TO HAMMETT'S SECOND SUPPLEMENTED MOTION FOR ORDER OF RECUSAL

AND

BRIEF IN SUPPORT THEREOF

Comes now counsel for the Plaintiff who in support of this Response to Hammett's Second Supplemented Motion for Order of Recusal, and Brief in support thereof, states and alleges as follows:

1. Laura Lynn (Hammett) is not a licensed attorney.

2. Laura Lynn (Hammett) is a serial pro-se litigant with several current lawsuits pending both at the state and federal levels. Laura Lynn (Hammett) has a history of committing the unauthorized practice of law and it is highly likely that she is currently representing her husband in several of those matters while he claims to be a "pro-se" litigant.

3. The allegations contained within Laura Lynn's (Hammett) Supplemented Second Motion for Order of Recusal are non-sensical and are hereby denied.

4. Counsel for Plaintiff admits he plans to attempt to have Laura Lynn Hammett jailed for multiple contemptuous actions if the Court grants the same. As a precaution, counsel for Plaintiff has filed a Motion for Order for Evaluation of Laura Lynn (Hammett) in order to

determine if Laura Lynn (Hammett) is mentally and pschological in anyway prior to following through with the request to incarerate her for contemptuous behavior.

5. Counsel for Plaintiff admits he believes that Laura Lynn's (Hammett) litigation tactics reek of fear and desperation because she realizes her case is without legal merit.

6. Counsel for Plaintiff admits Laura Lynn (Hammett) should be nervous concerning the damage her litigation tactics are causing and the potential ramifications of the same. Pleading further, the Court is not implicitly or explicitly biased against Laura Lynn (Hammett). Laura Lynn (Hammett) just does not like that the Court's rulings were issued against her.

7. Counsel for Plaintiff admits he is confident that Laura Lynn's (Hammett) bold and repeated contemptuous behavior will lead to her incarceration should she not be mentally or psychologically incapcitated in anyway.

8. Counsel for Plaintiff has not alleged that the content of Laura Lynn's (Hammett) "biblical marriage contract" is contemptuous. However, counsel for Plaintiff appreciates that Laura Lynn (Hammett) acknowledges that the contract she drafted purportedly creates a marriage between the parties and appreciates Laura Lynn (Hammett) for admitting the same.

9. Counsel for Plaintiff agrees that Laura Lynn (Hammett) engaged in the unauthorized practice of law which is considered contemptuous behavior under Arkansas law.

10. As noted within the last response to Laura Lynn's (Hammett) Second Motion for Order of Recusal that the appropriate motion for contempt is being drafted and has not been filed of record. Further, Honorable Susan Weaver does nothing special or extraordinary for counsel of the Plaintiff. Honorable Susan Weaver follows and applies Arkansas law correctly to the displeasure of Laura Lynn (Hammett) as she fails to properly litigate and comprehend Arkansas law.

11. Counsel for Plaintiff recognizes the Court's absolute right to schedule hearing settings and continuances in accordance with Ark. R. Civ. P. 40.

12. Counsel for Plaintiff is unsympathetic that Laura Lynn (Hammett) has to travel more than two (2) hours to the Circuit Court of Searcy County where the parties used to reside, where the real property is located, and the vast majority of the events underlying this cause of action occurred.

13. Counsel for Plaintiff recognizes Laura Lynn's (Hammett) incorrect legal reasoning behind the illegal and void contract and that she will have an opportunity to present the same to the Court at the scheduled hearing.

14. Counsel for Plaintiff adamantly denies that he and the Court have any plans regarding Laura Lynn (Hammett) or otherwise. Counsel for the Plaintiff believes that he has a cordial and professional relationship with the Honorable Susan Weaver but denies that there is any relationship otherwise.

15. The Court has clearly instructed Laura Lynn (Hammett) that Honorable Susan Weaver will not recuse, and counsel for the Plaintiff believes that no matter how many frivolous lawsuits Laura Lynn Hammett files that the Court will not reverse its correct course of action.

16. Counsel for Plaintiff does not believe he is the Court and admits that he has instructed Laura Lynn (Hammett), a party and acting attorney, from communicating directly with Plaintiff. This repeated communication violates the standards of Arkansas law (that Laura Lynn (Hammett) believes she has found a loop hold to exploit and is also contemptuous behavior that she shall be required to defend. Further attempts to communicate with the Plaintiff directly will result in criminal charges and the request of a no contact order. Further, counsel for Plaintiff

requests that this Court order Laura Lynn (Hammett) from directly communicating with the Plaintiff.

17. Pleading affirmatively, Laura Lynn (Hammett) is convinced that her rudimentary legal knowledge is somehow superior to and controlling upon the parties, counsels of record, administrative employees of the Court, and the Court itself. Pleading further, Laura Lynn (Hammett) is attempting to engage in forum shopping because she simply does not like the fact that the Court has issued rulings against her. Also, Laura Lynn (Hammett) has allegedly filed a frivolous lawsuit against Honorable Susan Weaver and counsel for the Plaintiff. Counsel for the Plaintiff will file a countersuit against Laura Lynn Hammett.

18. Further, Laura Lynn's (Hammett) Supplemented Second Motion for Order of Recusal violates the Arkansas Rules of Civil Procedure by failing to state sufficient facts supporting her conclusory legal statements.

19. Counsel for the Plaintiff cannot even remotely concoct a situation in which Honorable Susan Weaver might have a "pecuniary interest in wasting Hammett's time and recourses….". Pleading affirmatively, Laura Lynn (Hammett) is the person wasting this Court's and counsel for the Plaintiff's time and resources.

20. Laura Lynn Hammett is in direct and indirect contempt of this Court's authority and a motion setting forth the basis for that contempt will be filed contemporaneously herewith this response when it is finalized.

21. Further, there has been no "malice" or "misconduct" committed by this Court. Laura Lynn (Hammett) spews her vile baseless allegations against this Court and counsel for the Plaintiff because she has no valid legal argument otherwise.

WHEREFORE, the Plaintiff respectfully requests that this Court deny Laura Lynn's (Hammett) Supplmented Second Motion for Order of Recusal of Judge Susan K. Weaver, award the Plaintiff's fees and costs (including a reasonable attorney's fee) for the necessitation of defending yet another frivolous pleading, and grant any and all relief that the Plaintiff may be entitled.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak – Walter Pietrczak
Attorney-in-fact.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 W. Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Tuesday, September 28, 21

_____
William Z. White

ISSUED BY THE

CIRCUIT COURT

OF SEARCY COUNTY

SUBPOENA DUCES TECUM

MICHEAL PIETRCZAK — **PLAINTIFF**

V. — **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN (HAMMETT) — **DEFENDANTS**

TO: **Laura Lynn (Hammett)**
16 Gold Lake Club Road
Conway, AR 72032
Bohemian_books@yahoo.com

☐ YOU ARE COMMANDED to appear in the Circuit Court of CLEBURNE County, Arkansas, at the place, date, and time specified below to testify in the above case.

Place of Testimony	Courtroom
	Date and Time

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the taking of a deposition in the above case.

Place of Deposition	Date and Time

☐ YOU ARE COMMANDED, at the time of the trial, hearing or deposition described above, to produce and permit inspection and copying of the following documents or objects (list documents or objects):

☒ YOU ARE COMMANDED, pursuant to Ark. R. Civ. P. 45, no more than **3** business days after receiving this subpoena to produce and permit inspection and copying of the following documents or objects (list documents or objects):

See Attached Exhibit 1

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Arkansas Rules of Civil Procedure 30(b)(6).

Issuing Officer Signature and Title (Indicate if Attorney for Plaintiff or Defendant)	Date
Wm. Z. White — Attorney for Plaintiff	Tuesday, September 28, 21

Issuing Officer's Name, Address, and Phone Number
William Z. White 706 West Quitman Street. Heber Springs, AR 72543 – (501) 365-3934

PROOF OF SERVICE

Served On:
Laura Lynn (Hammett)
16 Gold Lake Club Road
Conway, AR 72032
Bohemian_books@yahoo.com

Manner of Service
☐ Facsimile, ☒ Electronic mail, auto notification via the Court's ECF/E-File System, ☐ U.S. Postal Service, and/or ☐ Hand Delivery

Served By (Print Name) Title Date

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas that the foregoing information contained in the Proof of Service is true and correct.

Executed on 9/28/21
Date

Signature of Server

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

Regardless of his or her county of residence, a witness subpoenaed for examination at a trial or hearing must be properly served with a subpoena at least two days prior to the trial or hearing, or within a shorter time if the court so orders. The subpoena must be accompanied by a witness fee calculated at the rate of $30.00 per day for attendance and $0.25 per mile for travel from the witness' residence to the place of the trial or hearing. Rule 45(d), Ark. R. Civ. P.

A witness subpoenaed in connection with a deposition must be properly served with a subpoena at least five business days prior to a deposition, or within a shorter time if the court so orders. The witness is required to attend a deposition at any place within 100 miles of where he or she resides, is employed, or transacts business in person, or at such other convenient place set by court order The subpoena must be accompanied by a witness fee calculated at the rate of $30.00 per day for attendance and $0.25 per mile for travel from the witness' residence to the place of the deposition. Rule 45(e), Ark. R. Civ. P.

A subpoena may command the person to whom it is directed to produce for inspection any books, papers, documents, or tangible things designated in the subpoena. The person subpoenaed may ask the court to quash or modify the subpoena if it is unreasonable or oppressive or to require that the person on whose behalf the subpoena is issued pay the reasonable cost of such production. Rule 45(b), Ark. R. Civ. P. If the subpoena is issued in connection with a deposition, the person subpoenaed may object in writing to inspection or copying of any or all of the designated materials or seek a protective order from the court. If a written objection is made within ten days of service of the subpoena or on or before the time specified for compliance if such time is less than ten days, the party causing the subpoena to be issued is not entitled to inspect the materials unless the court so orders. Rule 45(d), Ark. R. Civ. P.

When a witness fails to attend in obedience to a subpoena or intentionally evades the service of a subpoena by concealment or otherwise, the court may issue a warrant for arresting and bringing the witness before the court to give testimony and answer for contempt. Rule 45(f), Ark. R. Civ. P.

Additional Notices:

This subpoena shall remain in effect unless or until you are excused by the Court, or the attorney who caused this Subpoena to be issued. Questions may be addressed to **William Z. White, 706 West Quitman Road, Heber Springs, AR 72543, (501) 365-3934 (telephone), (501) 365-3935 (facsimile), wzwhite@wzwhite.com (e-mail).**

EXHIBIT 1

Produce the following beginning on January 1, 2009:

1. Any and all tangible and/or intangible financial documents and/or other items pertaining to:
    a. Laura Lynn (Hammett) and/or any other alias names utilized by Laura Lynn (Hammett).
    b. Laura Lynn Living Trust Dated December 25, 2014.
    c. Rural Revival Trust.
    d. Hammett Family Living Trust.

2. Any and all tangible and/or intangible business documents and/or other items pertaining to:
    a. Laura Lynn (Hammett) and/or any other alias names utilized by Laura Lynn (Hammett).
    b. Laura Lynn Living Trust Dated December 25, 2014.
    c. Rural Revival Trust.
    d. Hammett Family Living Trust.

3. Any and all tangible and/or intangible organizational documents (including but not limited to copies of the trusts, amendments, addendums, minutes, resolutions, and EINs) and/or other items pertaining to:
    a. Laura Lynn (Hammett) and/or any other alias names utilized by Laura Lynn (Hammett).
    b. Laura Lynn Living Trust Dated December 25, 2014.
    c. Rural Revival Trust.
    d. Hammett Family Living Trust.

4. Any and all tangible and/or intangible documents and/or other items pertaining to the evaluation of the above referenced cause of action.

5. Any and all recordings that involve and/or pertain to Michael Pietrczak.

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Searcy County Circuit Court
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2021-Sep-28 23:07:09
65CV-21-20
C20D01 : 9 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S REPLY TO OPPOSITION OF SUPPLEMENTED MOTION FOR ORDER OF RECUSAL OF JUDGE SUSAN K. WEAVER

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Hammett"), in pro se, and for her Reply to the Opposition to Supplemented Motion for Order of Recusal of Judge Susan K. Weaver, states as follows:

1. Hammett will respond to each paragraph of Plaintiff's opposition to the second motion for recusal supplemented on this day, September 28, 2021. In general Mr. White is on a rampage that does not deserve addressing and should be subjected to a motion under ARCP Rule 11.
2. Alas, it appears that the Court has a bias against Hammett, and a motion under Rule 11 is futile. And if Hammett neglects to deny any of the bizarre allegations, it appears likely the Court will seize upon the omission.
3. The rampage includes: filing a 3 day subpoena for items that could have been obtained through discovery in the first two years of proceedings, in "Pietrczak I", case number 65CV-18-8, or since filing the present case over five months ago; filing a motion for order of examination based on Hammett's defense of an action filed against her, when Plaintiff has failed for the two and a half years of litigation to make any request for production of Hammett's well documented mental health history; the immediate response to the motion for recusal and the threats of filing motions for contempt.
4. Most pertinent to the present motion is the fact that the Court had an employee available to enter and thereby serve Plaintiff's documents at 7:43, 7:45 and 7:49 **PM**. The Court is working overtime to serve Mr. White's documents.

5. This is in line with the Court's claim that it signed an order to compel arbitration in Laura Lynn Hammett v. First American Home Warranty Corporation, et al, 23CV-20-631on Saturday September 18, 2021 just after noon. The order was file stamped on Saturday around noon.
6. Hammett is working into the late night to file this reply, as the motion for recusal filed on September 23, 2021 was denied on September 24, 2021 before Hammett had an opportunity to reply.
7. In response to paragraph 1 of the opposition: Hammett admits she is not an attorney. While Hammett does not expect to be allowed to violate the rules of court, she also does not expect to be held to a higher standard than a licensed attorney. The court staff told Hammett she had to file her exhibits for the August 4, 2021 final hearing 44 hours before the hearing, instead of 24 hours as per the letter served on counsel. When Mr. White failed to file his exhibits for the final hearing, he was not held in contempt of court pursuant to *Perroni v. State, 358 Ark. 17, 186 S.W.3d 206 (2004) hn 6.*
8. In response to paragraph 2 of the opposition: Mr. White repeatedly uses inflammatory language to characterize a citizen's Constitutional to file a grievance as something repugnant. Mr. White has filed more cases for one client, Richard Gawenis, than Hammett has filed for herself. Mr. White repeats that he suspects Hammett is representing her husband in several cases. Technically, several can mean one, but in common usage, it is more than one. James Hammett is a plaintiff in only one case at the moment.
9. In response to paragraph 3 of the opposition: Hammett writes well. She was featured on Fox News for her writing about the court. She has won several

writing awards and has a bachelor's degree in journalism. Hammett is certain the motion will make sense to the appellate court.

10. In response to paragraph 4 of the opposition: The phrase "in order to determine if Laura Lynn (Hammett) is mentally and pschological in anyway" is non-sensical.
11. In response to paragraph 5 of the opposition: Plaintiff misstates Hammett's allegations. Hammett is nervous because the Court appears to have a bias, as demonstrated by supervising a highly inaccurate transcript that supports fabrications of Mr. White and the Court and may actually incarcerate Hammett without cause.
12. In response to paragraph 6 of the opposition: Hammett does not like that the Court invented things that were not said in the hearing of August 4, 2021, that found their way into the transcript, while things that were said in the hearing that were unprofessional by the Court and Mr. White were omitted.
13. In response to paragraph 7 of the opposition: Of course counsel for Plaintiff is confident the Court will rule in his favor. That is the point of asking for a recusal. The Court granted a continuance for counsel for Plaintiff because counsel failed to issue a summons for a necessary party, just as one example of rulings that fall into the abuse of discretion category.
14. In response to paragraph 8 of the opposition: Hammett differentiated "marriage in the eyes of God" to "civil union" or "marriage by the state". The right to freedom of religious beliefs is fundamental, and barring some illegal behavior, such as polygamy or "marrying" an underaged person, the Court cannot deem a religious practice as illegal. The "marriage in the eyes of God" was not the contract. It had no consideration. Besides that Plaintiff

co-wrote and signed the same document, in front of Clerk of the Court Debbie Loggins who notarized it.

15. In response to paragraph 9: Hammett did not say she practiced in the unauthorized practice of law.

16. In response to paragraph 10: Hammett denies the allegations by incorporation of the responses above.

17. In response to paragraph 11: Rule ARCP 40(b) has the proviso "for good cause shown". Paragraph 13 above is incorporated herein.

18. In response to paragraph 12: It shows bias that the Court holds the vast majority of its hearings via Zoom. Hammett is 59 years old and not vaccinated. Pietrczak is in a wheelchair and indigent. That causes the decision to have a hearing on a single issue that must only be decided on law, not fact, to be suspect. (The Court cannot decide who authored the contract that begins with the word "we" and is signed first by Pietrczak. That is a matter for the jury.)

19. In response to paragraph 13: Matters of law about the contract are the only issues that may be decided at the hearing, so it seems biased that the Court issued a subpoena for factual inquiries for the hearing.

20. In response to paragraph 14: As caselaw is settled, it is the appearance of bias that mandates recusal. Hammett is not tasked with proving what seems evident to a reasonable person.

21. In response to paragraph 15: Hammett did not file her lawsuit against Judge Weaver until she exhausted less litigious avenues to have Judge Weaver correct herself. Voluntary recusal would have mitigated damages caused by the deprivation of Hammett's right to due process and equal protection. The

Court continues to deny that the transcript is substantially inaccurate, and that a reasonable person may see that inaccuracy as a sign of bias.

22. In response to paragraph 16: Hammett has contacted Micheal Pietrczak about three times since the present suit was filed, each time by text asking for settlement. Micheal Pietrczak did not file the suit and wrote, through counsel White, that his father Walter Pietrczak did not have power of attorney at the time the suit was filed. If the Court was interested in bringing an end to the suit, it would rule in favor of the motion for summary judgment still pending, based on the lack of standing of Walter Pietrczak when he commissioned Mr. White to file it.

23. In response to paragraph 17: Hammett denies Plaintiff's conclusory statements that have no factual basis. William Z. White is free to file a counterclaim to the suit filed against him. Hammett does pretty well with her lawsuits, except those in Judge Weaver's court. In fact Home Depot already settled with Hammett and the settlement offers she has received from many of the other defendants exceed what attorneys usually settle for excluding attorney fees.

24. In response to paragraph 18: Hammett disagrees with Plaintiff's conclusionary statement of fact and law, unsupported by any authority.

25. In response to paragraph 19: Hammett does not know what caused Judge Weaver's bias. It is possibly just a bias against pro se litigants. It is possible she gets kick backs from Mr. White when she gives him default judgment on a case that has no summons served, as in Gawenis. Summons was not served in the present case, and Hammett just got blessed by looking up Pietrczak I

and seeing this case. Otherwise, chances are the events in *Zelda Walls* would be repeated.

26. In response to paragraph 20: Hammett means no contempt or disrespect of authority. But Hammett heard a very different version of the hearing than made it to the transcript. And Hammett notices the erroneous rulings that the Court does not make toward the Plaintiff or on other cases. The Court and Mr. White put Hammett into a difficult position where she is asked to balance being respectful to the Court while guarding her own freedoms.
27. In response to paragraph 21: If the Zoom tape is played in the case against Judge Weaver and Mr. White, and it happens that Hammett's memory and notes taken during the hearing are accurate, and the jury finds that the inaccuracies in the transcript were intentional, then Mr. White has agreed that the conduct alleged by Hammett is vile, outrageous so to speak.

BRIEF IN SUPPORT

28. "The disobedience of any judgment, order, or decree of a court having jurisdiction to enter it is such an interference with the administration of justice as to constitute 'contempt.'" *Perroni v. State, 358 Ark. 17, 186 S.W.3d 206 (2004)* Mr. White's failure to submit exhibits for the August 4, 2021 hearing was a direct violation of a court order.

29. Instead of finding Mr. White in contempt of court, Judge Weaver rewarded him with a continuance. She then decided to allow him an extension of time to obtain the issuance and service of summons on the trustee of Rural

Revival Living Trust without an opportunity for opposition to the written motion.

30. Mr. White, with one suspension of his license to practice law and one malpractice lawsuit settled out of court, is making a mockery of the Court.
31. Hammett is just reporting what she observes accurately.
32. It is incumbent upon the Court to protect even the perception of a lack of integrity, and this can be done by recusal.
33. WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays that her Motion for Recusal of Judge Susan K. Weaver be granted, in this and all cases present and future.

This 28th day of September, 2021.

Respectfully submitted,

/S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on September 28, 2021 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Reply to the Opposition of the second and supplemented Motion for Recusal of Judge Susan K. Weaver and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

September 28, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

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Searcy County Circuit Court
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2021-Sep-29 00:34:57
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

MOTION TO QUASH SUBPOENA

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Hammett"), in pro se, and for Motion to Quash the Subpoena Dated September 28, 2021, states as follows:

1. The person subpoenaed may ask the court to quash or modify the subpoena if it is unreasonable or oppressive. Rule 45(b), Ark. R. Civ. P.
2. The subpoenae is unreasonable and oppressive in that it makes a request for production of documents that was available to the Plaintiff pursuant to Ark. R. Civ. P. Rule 34(a) for the two years in which *Pietrczak I*, 65CV-18-8 was pending, and the six months the present case has been pending.
3. If the request for production of documents was made pursuant to Rule 34(a), Hammett would have 30 days to respond, instead of the 3 days ordered by the court by issuance of the subpoena. Ark. R. Civ. P. Rule 34(b)(2).
4. Plaintiff gave no exigent circumstance that would override the normal procedure.
5. WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays the Court will quash the subpoena.

This 29th day of September, 2021.

Respectfully submitted,

/S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on September 29, 2021 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Motion to Quash Subpoena with brief incorporated within with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

September 29, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
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(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

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65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

AMENDED MOTION TO QUASH SUBPOENA

EXHIBIT 2

Mike ...l 2.mp4

Send

Emailed to 1 person

Settings

Expiration

Password

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Debbie Loggins, Circuit/County Clerk
2021-Oct-01 04:52:35
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C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

AMENDED MOTION TO QUASH SUBPOENA

EXHIBIT 1

Re: Good quotes from dropbox tape mailed tonight

From: William Z. White (wzwhite@wzwhite.com)

To: bohemian_books@yahoo.com

Cc: chris@wzwhite.com; brooke@wzwhite.com

Date: Thursday, September 30, 2021, 09:57 AM CDT

Watch how fast your federal law suit gets dismissed. When are you sending your process server? I can't wait to file a counter suit against you. Oh. How is gathering the discovery coming? Three business days comes and goes pretty quickly.

This message was sent from my iPhone. Please excuse any typographical or punctuation errors.

On Sep 29, 2021, at 8:43 PM, Laura Lynn <bohemian_books@yahoo.com> wrote:

About (all locations are approximate) 3:13 - "I did not have my dad file anything" Walter had no standing.

location ? - "and you buitl me up and you put me in a position where I could take care of you. And I did. I fuckin' did."

11:00 "I gave you half the business, half the trial stuff." Great I did at least half the work. I was never drunk. I worked 18 hour days. And all the capital was mine. The he supposedly gave me half of everything, until you and Walter decided you could get all of it times 3.

11:50 "My lawyer's going to run you guys into the ground." That is a line I'm playing in my federal suit.

14:00 "I could have been sitting on my porch drinking beer after a hard days work." That is why it is my fault supposedly that he is paralyzed.

15:54 "You dropped a 30 pack next to me." This is what I play after the parade of church family that heard me cry and pray that Mike would stop drinking...and who saw me treat my body like a temple.

23:00 "Show up at my dad's house with $150,000 cash to buy that piece of land." Oh, yeah, while he was using my $360,000 to build up the $150,000 we had left when I broke up, he did not report any of that as revenue to the IRS. Sounds like tax fraud to me.

27:00 Rural Revival Living Trust owes him, I don't owe a nickle. He owes me $360,000. So if he gets $150,000 for the property (which is a stretch) and gets to call our 50/50 agreement void, then he owes me $360,000. I know he can't come up with the other $210,000, so I will forgive that debt as a charge off reported to the IRS and I will give Mike $2,500.

31:00 Me: "You know how much I took care of you."
Mike: "Yes I do."

Good thing for Mike and You and Walter Judge Weaver won't let a jury hear this.

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65CV-21-20
C20D01 : 6 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

AMENDED MOTION TO QUASH SUBPOENA

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Hammett"), in pro se, and for Amended Motion to Quash the Subpoena Dated September 28, 2021, states as follows:

1. The person subpoenaed may ask the court to quash or modify the subpoena if it is unreasonable or oppressive. Rule 45(b), Ark. R. Civ. P.
2. Hammett moved the Court to quash the subpoena at 12:34 AM on September 29, 2021, a couple hours after receiving the subpoena that was sent by electronic notification after 7 PM on September 28, 2021.
3. Hammett is amending the motion to quash since she had time to try to comply and saw the extreme overbreadth of the subpoena, its irrelevancy, that many of the requests are for documents that are not in Hammett's possession, that all the trust documents are third party documents with no prior notice to the third party, and after Mr. White sent an email, goading Hammett about how difficult complying would be. (A true and correct copy of the email is attached hereto as exhibit 1.)
4. In the same paragraph, Mr. White discussed the Federal suit in which Mr. White and Judge Weaver are co-defendants, and how quickly the three business days given in the subpoena will pass. This looks like a lightly veiled threat, taken with Mr. White's other communications, that Hammett will not be able to complete the task of production and will be found in contempt of court and jailed by Judge Weaver.
5. There is an in person hearing scheduled, but not noticed, for October 7, 2021. Because there is no notice, Hammett does not know if Mr. White or the Court will be at the hearing, or if this is just a way to get Hammett to show up to be arrested. (And if Hammett does not show up, the Court might also find her in contempt of court, because the Court will say the setting sheet emailed by TCA Tammy Weaver was enough notice. Hammett asks

the Court to advise whether or not attendance at the scheduled hearing is ordered.)

6. Mr. White sent his email in response to an email from Hammett that lists several quotes of Micheal Pietrczak from a 38 minute video which Hammett sent to Mr. White through Dropbox. Mr. White has not downloaded the video as of the time of this writing. (A true and correct copy of the Dropbox notification of download frame is included here as Exhibit 2.)
7. The subpoena is unreasonable and oppressive in that it makes a request for production of documents that was available to the Plaintiff pursuant to Ark. R. Civ. P. Rule 34(a) for the two years in which *Pietrczak I*, 65CV-18-8 was pending, and the six months the present case has been pending.
8. If the request for production of documents was made pursuant to Rule 34(a), Hammett would have 30 days to respond, instead of the 3 days ordered by the court by issuance of the subpoena. Ark. R. Civ. P. Rule 34(b)(2).
9. Even if given 30 days through proper discovery, Hammett would object to all categories of documents requested.
10. Just by way of example: The Court demands, by Mr. White's issuance of the subpoena, that Hammett produce "Any and all tangible and/or intangible financial documents and/or other items pertaining to: a. Laura Lynn (Hammett) and/or any other alias names utilized by Laura Lynn (Hammett)." The time frame given is "beginning January 1, 2009".
11. Presuming "and/or" which is not a word means "and", the Court's officer is demanding Hammett to produce every financial document that was generated pertaining to Hammett for over 12 years. This includes all tax returns, which are protected documents, every receipt, whether for a car, a sandwich or to get her nails done, every bank statement, every cancelled

check, every escrow folder, every doctor's bill, insurance record, etc., whether it is in Hammett's possession or not. There is no relevancy between the vast majority of these demanded documents and the case at bar, and they would be impossible to collect in months of time, let alone three days.

12. But that is not all that Hammett would need to produce on just item 1(a). "other items pertaining to Laura Lynn (Hammett)" means Hammett's car, her clothing, her make-up, her bicycle, her used food wrappers, her birthday cards, her computer, etc. The request is absurd.

13. The foregoing are tangible items. "Intangible" items are also demanded. This includes, love, peace, joy, laughter, anxiety, sadness, song, etc. Hammett has no idea how or where to deliver these "intangibles".

14. The Court then orders, through the officer issuing the subpoena, that all the foregoing items pertaining to three separate trusts are produced. Hammett is not the trustee on one of the trusts…Micheal Pietrczak was trustee of the Laura Lynn Living Trust.

15. A subpoena is a legal process, so Hammett, even as trustee of a trust, cannot respond without an attorney. The subpoena must be directed to the trustee and the trustee must then retain legal counsel. If the subpoena to Hammett is limited to items she has in her possession, then a notice to the trustees must be sent prior.

16. Assuming Mr. White convinces the Court to issue a subpoena to the trustees of the trusts, if Laura Hammett is trustee and Judge Weaver is the judge presiding, Hammett will not be able to comply. Hammett has asked seven attorneys to represent the Rural Revival Living Trust on a fee basis, and none will touch it. It appears to these attorneys that there is an animosity toward Hammett from the Court that will spill over onto them or they don't

work in Searcy County anymore in general since Judge Weaver was elected (such as Rick Watson, who successfully had Pietrczak I dismissed.) $495 per hour attorney James Streett said he would be doing a "disservice" because Judge Weaver does not care much for him either, having also filed a lawsuit against Judge Weaver. (Hammett could not find the suit online, so he may be referencing a suit that was against a party favored by Judge Weaver.)

17. Plaintiff gave no exigent circumstance that would override the normal procedure of discovery, where Hammett could have more time and make objections that would be addressed in an orderly fashion.
18. WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays the Court will quash the subpoena.

This 1st day of October, 2021.

Respectfully submitted,

/S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on October 1, 2021 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Amended Motion to Quash Subpoena with brief incorporated within with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

October 1, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
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(760) 966-6000
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Defendant and Counterclaimant, pro se

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65CV-21-20
C20D01 : 1 Page

20th Judicial District Trial/Hearing Setting Sheet

County: SEARCY

MICHEAL PEITRCZAK

VS. NO 65CV-21-20

RURAL LIVING TRUST

FOR COURT USE
DATE: October 7, 2021
TIME: 3:30 PM
DIVISION: 1st Division
SET BY: TW--09/24/2021

REQUESTED BY: PLAINTIFF ☐ NEED INTERPRETER
TYPE HEARING: Motion Hearing to Declare Contract Void
ESTIMATED TIME: 1.5 HOURS
REMARKS:
AD LITEM:

ATTORNEY FOR PLAINTIFF:
William 'Zac' White

PHONE:
FAX:
EMAIL: wzwhite@wzwhite.com

ATTORNEY FOR DEFENDANT:
Pro Se --Laura Lynn Hammett

PHONE:
FAX:
EMAIL: bohemian_books@yahoo.com

1. To set a trial/hearing date, mail, email or fax a copy of the setting sheet to the appropriate division. The trial court assistant will schedule the trial/hearing based on the information provided and return one copy of this form to the party requesting trial/hearing.
2. **IT IS THE RESPONSIBILITY OF THE PARTY REQUESTING THE SETTING TO NOTIFY ALL OPPOSING COUNSEL (OR PARTIES), SEND A COPY OF THE LETTER OF NOTIFICATION TO THE TRIAL COURT ASSISTANT AND TO THE CLERK FOR THE FILE.**
3. Should opposing counsel have a conflict with the scheduled trial/hearing date, the case and opposing counsel are to be notified within ten (10) days. If an alternate date cannot be agreed upon, counsel for all parties will be required to conference with the Court to set the matter.

Division 1: ✓
Susan Weaver, Judge
Tammy Weaver, Trial Court Administrator
Fax: (501) 450-4977
Phone: (501) 450-4904
Tammy.weaver@faulknercounty.org

Division 2:
Troy Braswell, Judge
Thai McBee, Trial Court Administrator
Fax: (501) 329-4934
Phone: (501) 450-4931
thai.mcbee@faulknercounty.org

Division 3:
Charles E. Clawson, III, Judge
Amanda Todd, Trial Court Administrator
Fax: (501) 450-4972
Phone: (501) 450-4970
amanda.todd@faulknercounty.org

Division 4:
David M. Clark, Judge
Shannon Naylor, Trial Court Administrator
Fax: (501) 328-4157
Phone: (501) 328-4156
shannon.naylor@faulknercounty.org

Division 5:
H.G. Foster, Judge
Jan Wilbanks, Trial Court Administrator
Fax: (501) 450-4966
Phone: (501) 450-4925
jan.wilbanks@faulknercounty.org

MAILING ADDRESS:
801 Locust Street
Conway, AR 72034

☐ Faulkner County Justice Building
510 S. German Lane, Conway, AR 72034
☐ Courtroom 2A ☐ Courtroom 3C
☐ Courtroom 2B ☐ Courtroom 3D
☐ Courtroom 3A ☐ Courtroom 4
☐ Courtroom 3B

☐ Van Buren County Courthouse (1)
273 Main Street, Clinton, AR 72031

☐ Van Buren County Annex (2)
100 Success Dr., Ste 27, Clinton, AR 72031

☐ Searcy County Courthouse (1)
Courthouse Square, Marshall, AR 72650

☑ Searcy County Annex (Paul V. Jones Annex) (2)
Courthouse Square, Marshall, AR 72650

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Oct-04 15:34:53
65CV-21-20
C20D01 : 3 Pages

Tammy Weaver

From: Laura Lynn <bohemian_books@yahoo.com>
Sent: Saturday, October 2, 2021 3:17 PM
To: Tammy Weaver; Jana Perry
Subject: Freedom of Information Act Request
Attachments: FOIA release tapes of hearing.pdf

Dear Ms. Perry and Ms. Weaver,

Please see and respond to the attached request letter by Thursday, October 7, 2021 at 11AM.

Thank you,

Laura Hammett

CAUTION: This email originated from outside of the Faulkner County Email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Freedom Of Information Act Request

Mailed electronically to:

Tammy Weaver, Trial Court Administrator Tammy.weaver@faulknercounty.org

Jana Perry, Certified Court Reporter jana.perry@faulknercounty.org

By telephone with follow-up letter if needed:

Administrative Office of Courts (501) 682-9400

Conway City Attorney (501) 450-6193

To the Custodian of Records for the Searcy County Circuit Court and Court facilities, meaning the person having administrative control of that record. (Ark. Code Ann. § 25-19-103 (West))

Pursuant to Freedom of Information Act of 1967, A.C.A. § 25-19-101, I am requesting a copy, or accommodation to copy, all audio and visual recordings of the hearing of Searcy County Circuit Court Case Number 65CV-21-20, held August 4, 2021 on ZoomGov. This includes but is not limited to any official certified court reporting tape, ZoomGov recording, and surveillance camera tape from the office of the Trial Court Administrator and the Circuit Court Judge Susan K. Weaver. The ZoomGov Meeting ID number is 161 846 9170. The timeframe is approximately 9 AM to 10AM.

I remind the custodian "Any person who negligently violates any of the provisions of this chapter shall be guilty of a Class C misdemeanor." Ark. Code Ann. § 25-19-104 (West)

"Except as otherwise specifically provided by this section or by laws specifically enacted to provide otherwise, all public records shall be open to inspection and copying, including without limitation copying through image capture, including still and moving photography and video and digital recording, by any citizen of the State of Arkansas during the regular business hours of the custodian of the records." Ark. Code Ann. § 25-19-105 (West)

I have not pleaded guilty to or been convicted of a felony and I am not incarcerated.

"If the person to whom the request is directed is not the custodian of the records, the person shall so notify the requester and identify the custodian, if known to or readily ascertainable by the person." Ark. Code Ann. § 25-19-105 (West)

The legislature made specific exemptions to the applicability to certain public documents, including "(4) Grand jury minutes; and (5) Unpublished drafts of judicial or quasi-judicial opinions and decisions." Ark. Code Ann. § 25-19-105 (West) Trial Court hearings are not an exemption.

Please let me know the actual cost of reproduction and how I can make payment.

The statutory limit on time to produce is three business days.

I would prefer to pick up any records in person, but if mailed, please do so within the three business days.

Thank you,

Laura Hammett

(760) 966-6000

Bohemian_books@yahoo.com

16 Gold Lake Club Road

Conway, Arkansas

72032

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Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Oct-04 15:36:31
65CV-21-20
C20D01 : 1 Page

SUSAN K. WEAVER
CIRCUIT JUDGE
1ST DIVISION 20TH JUDICIAL DISTRICT
FAULKNER COUNTY JUSTICE BUILDING
510 SOUTH GERMAN LANE
MAILING ADDRESS
801 LOCUST STREET
CONWAY, ARKANSAS 72034

TAMMY WEAVER
TRIAL COURT ADMINISTRATOR
PHONE: 501-450-4904
FAX: 501-450-4977
TAMMY.WEAVER@FAULKNERCOUNTY.ORG

JANA PERRY, CCR
COURT REPORTER
PHONE: 501-450-4955
FAX: 501-450-4977
JANA.PERRY@FAULKNERCOUNTY.ORG

October 4, 2021

Re: FOI Request 65CV-21-20 MICHAEL PEITRCZAK v. RURAL LIVING TRUST ETAL.

Dear Ms. Hammett,

The court writes this letter in response to your Freedom of Information Act request.

First, in regard to any official certified court reporting tape, Admin. Order 10 is clear, trial transcript source materials shall be granted at the discretion of the court, and this court denies such request.

Secondly, there is no "zoomgov" recording, so there is no recording to give.

Regarding your third request, this office does not have, use, or have access to any surveillance cameras or audio recordings. Thus, there is nothing to provide, nor does this office know who would be the custodian for any such recordings.

Since this is communication in regard to an open case in which you are a party, the court feels it necessary to file both your request and this reply in the court record.

Sincerely,

Judge Susan K. Weaver

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Oct-04 20:36:14
65CV-21-20
C20D01 : 4 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

Letter in Response to Court's Letter filed October 4, 2021

1. To the Court and All Counsel of Record,
2. The Freedom of Information Act Request letter I sent by email to TCA Tammy Weaver and Court Reporter Jana Perry was not intended to pertain to the above captioned case.
3. I have filed a Motion to Settle the Record in this case, which is still pending, which would accomplish part of my FOIA request. The FOIA request is completely separate.
4. If this Court does not grant the motion to settle the record, I will renew it on appeal.
5. It is not required to give a reason for requesting public records under FOIA.
6. To be clear though, I will tell you that my communication was not to advance the above captioned case. It was to advance the Federal suit for deprivation of rights under color of law, 4:21-cv-857-BRW, and to use for other purposes, such as to inform the public about the state of integrity, or lack thereof, in our court system.
7. The discretion of whether to release the Court Reporter's recording is not found in Administrative Order 10 as the Court wrote. It is in Administrative Order 19.
8. The discretion used may not be over an issue that the Court has jurisdiction over. The decision may be administrative. An abuse of discretion in an administrative decision is still covered by the same qualified immunity as any discretionary act of a government official. Civil cause of action lies only where malice can be proven. If a government employee purposefully makes a bad decision, knowing they are violating the rights of citizens, then there may be a successful civil cause of action.

9. Regardless of whether the discretion is administrative or jurisdictional, the letter from the court will be presented to a jury in the 1983 case. If the case is close, the decision to not play the tape should convince a reasonable person that more likely than not, the defendants in the 1983 case were trying to hide something.
10. Please do not try to make actions I take in the Federal case or in the court of public opinion as actions in the above captioned case. If I am asking the Court to make a decision in this case, I will file a motion, like the Motion to Settle the Record.
11. That will be a difficult differentiation for the Court, which is a good reason the Court should recuse itself.

This 4th day of October, 2021.

Respectfully submitted,

/S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on October 4, 2021 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Letter in Response to Court's Letter October 4, 2021 with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

October 4, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
500 Amity Rd. Suite 5B #306
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Oct-05 15:10:25
65CV-21-20
C20D01 : 1 Page

SUSAN K. WEAVER
CIRCUIT JUDGE
1ST DIVISION 20TH JUDICIAL DISTRICT
FAULKNER COUNTY JUSTICE BUILDING
510 SOUTH GERMAN LANE
MAILING ADDRESS
801 LOCUST STREET
CONWAY, ARKANSAS 72034

TAMMY WEAVER
TRIAL COURT ADMINISTRATOR
PHONE: 501-450-4904
FAX: 501-450-4977
TAMMY.WEAVER@FAULKNERCOUNTY.ORG

JANA PERRY, CCR
COURT REPORTER
PHONE: 501-450-4955
FAX: 501-450-4977
JANA.PERRY@FAULKNERCOUNTY.ORG

October 5, 2021

Re: FOI Request 65CV-21-20 MICHAEL PEITRCZAK v. RURAL LIVING TRUST ETAL.

Dear Ms. Hammett,

The court writes this amended letter in response to your Freedom of Information Act request.

First, in regard to any official certified court reporting tape, Admin. Order 19 is clear, trial transcript source materials shall be granted at the discretion of the court, and this court denies such request.

Secondly, there is no "zoomgov" recording, so there is no recording to give.

Regarding your third request, this office does not have, use, or have access to any surveillance cameras or audio recordings. Thus, there is nothing to provide, nor does this office know who would be the custodian for any such recordings.

Since this is communication in regard to an open case in which you are a party, the court feels it necessary to file both your request and this reply in the court record.

Sincerely,

Judge Susan K. Weaver

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Oct-05 17:51:54
65CV-21-20
C20D01 : 6 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

HAMMETT'S RESPONSE TO MOTION FOR ORDER FOR EXAMINATION: BRIEF IN SUPPORT

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Hammett"), in pro se, and for her Response to Plaintiff's Motion for Order for Examination states as follows:

1. Plaintiff has no right to compel Hammett to submit to a mental or phychological examination and Plaintiff's counsel knows he is asking for something that is not supported by law.
2. In Motion paragraph 1 to 4 Plaintiff seems to contend that if a person protects her rights vigorously, which is not the normal way people just fold to the abusive litigation practices of Mr. White, then that is somehow bad.
3. In paragraph 5, the attorney whose mantra is "Laura Lynn commits the unauthorized practice of law", commits the unauthorized practice of Psychology. Mr. White is not a licensed psychological examiner, licensed psychologist or in any way permitted to diagnose paranoia.
4. Plaintiff makes baseless allegations of some mental defect without any expert opinion and without having requested medical records for the three years he has litigated this matter.
5. In fact, Micheal Pietrczak is well aware that Hammett has always taken good care of her mental health, voluntarily checking herself into a behavioral health facility when going through extremely stressful and depressing times (like dealing with a corrupt judge who is no longer on the bench and an out of control alcoholic significant other), and Hammett used therapy liberally.
6. Hammett is a woman of deep and abiding faith, unlike Pietrczak who signed a contract saying he considered himself to be "married in the eyes of

God", just to retract that statement when he thought he might get some more money out of Hammett. It is rude and unprofessional for Mr. White to characterize a Christian woman as he did in paragraph 6 of the motion. The Judge on this case has made public posts on Facebook that say "Praise Jesus". Mr. White is out of line mocking a Christian for expressing her faith.

7. In Motion paragraph 7 Mr. White insults Hammett's ability to communicate. Hammett is not an attorney, as Mr. White repeats ad nauseum, but her filings are pretty good for an amateur.

8. Regardless, poor grammar or writing skills are not a sign of mental or physical illness.

9. In Motion paragraph 8 and 9, Plaintiff's counsel finally gives one citation to authority, (the only citation to authority in the tirade.)

10. Plaintiff counsel feigns concern for Hammett's mental and psychological condition. If he was concerned, he would not berate Hammett like an abusive husband. He would not threaten to have Hammett incarcerated for not fulfilling a ridiculous subpoena. He would not gas light Hammett, trying to convince her she was hearing voices saying "the AOC told me the motion for extension of time to serve summons must be written and Hammett must have an opportunity to respond."

11. But whether Mr. White is actually concerned or not, Hammett's mental condition is not in controversy. Hammett has not raised incapacity as a defense or in her counterclaim. If Mr. White follows through on his threat to file a malicious prosecution for contempt, Hammett will not argue she is incapacitated.

12. Mr. White gave no caselaw where a mental exam was ordered at plaintiff's request in a breach of contract case.

13. Mr. White has threatened several times in filings and emails that he is going to file a motion for contempt, a quasi-criminal matter.

14. But no motion for contempt has been filed. Perhaps the motion for contempt will be filed at the same time as the summons for Rural Revival Living Trust. Until then, there is no authority to order a mental exam.

15. In this case, even if there was a probate matter or a criminal matter, Hammett would have the right to remain silent, which she would. (Ark. Code Ann. § 28-65-213.)

16. Most importantly, Plaintiff bases his concern that Hammett is paranoid on her thinking the court is out to get her.

17. Hammett had at least five judges recuse from cases she was a litigant on, so there seems to be a prevailing bias against her.

18. Immediately, Hammett expressed concern that the transcript of this case is inaccurate according to her memory and notes. She asked the court reporter to let her hear the tape, something that attorneys have written is done if the court reporter is on good terms with the attorney. The court reporter denied the request. Hammett moved the Court to settle the record. The Court has not ruled on that motion. Hammett made a FOIA request to hear the tape. The Court used her discretion to deny that request.

19. If Hammett is to prove she is not paranoid, and the Court is actually out to get her, the tape is exculpatory evidence that is being withheld by the Court.

20. Hammett has a right to present evidence on her own behalf. Ark. Code Ann. § 28-65-213.

21. Hammett has a due process right to require a state agency to disclose exculpatory or impeachment evidence that it possesses. *Ritchie, 480 U.S. at 57, 107 S.Ct. 989.*

22. Hammett asks the Court to deny the motion for an order to involuntarily submit to a psychological exam, but if an exam is ordered Hammett must be given access to the possibly exculpatory evidence of the court reporter's tape of the hearing of August 4, 2021.

Submitted this 5th day of October, 2021.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road

Conway, Arkansas 72032

(760) 966-6000

Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on October 5, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Response to Motion for Order for Examination and brief within with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

October 5, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Oct-07 10:54:44
65CV-21-20
C20D01 : 4 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

HAMMETT'S MOTION TO FIND COMPLAINT VOID FOR IMPROPER CAPTION AND SUMMONS

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Hammett"), in pro se, and for her Motion to find Complaint Void for Improper Caption and Summons states as follows:

1. The Plaintiff filed the "Complaint" on April 23, 2021.
2. The Caption of the Complaint names "Micheal Pietrczak" as plaintiff.
3. The Complaint preamble states "Comes now, the Plaintiff, Micheal Pietrczak (hereafter referred to as "Pietrczak")- Walter Pietrczak, Power of Attorney-in-Fact or Plaintiff…"
4. The Complaint alleges "Walter Pietrczak is the duly authorized agent of the Plaintiff as indicated by the Durable Power of Attorney executed by the Plaintiff…" (Complaint ¶ 4).
5. The Summons issued names "Michael Pietrczak" as plaintiff.
6. Hammett asks the Court to deem the Complaint and Summons void, as it named the wrong plaintiff, and dismiss the case as void ab initio.

Brief in Support

7. "*Form of Summons.* The summons shall be styled in the name of the court and issued under its seal, dated and signed by the clerk or a deputy clerk, and directed from the State of Arkansas to the defendant to be served. It shall contain:(1) in its caption, the names of the plaintiff and defendant or, if there are multiple parties, the names of the plaintiff and defendant listed first in the complaint;" *Rule 4 - Summons and Service of Process*, Ark. R. Civ. P. 4
8. "There is a difference between misidentification and misnomer. When there is a variation in the party's name that would not create any confusion as to which party was being sued, but the correct party is actually served, the

question is one of misnomer, not misidentification. When the name is incorrect and the correct party is not served, the issue is one of misidentification. When there is a misnomer, the service is nevertheless valid." *Kevin SHOTZMAN and Holly Shotzman Individually and as Parents and Next Friends of Jake Shotzman, A Minor, Plaintiffs, v. Mike BERUMEN III, M.D.; Shandra Hall, R.N.; Laura Dawkins, R.N.; Glenda Welty, R.N. Dana Colley, R.N.; Sisters of Mercy of the St. Lous Regional Community, Inc. d/b/a St. Edward Mercy Medical Center; Sisters O Fmercy Health System, St. Louis, Inc d/b/a St. Edward Mercy Medical Center; Sisters of Mercy Liability Fund; John DOE 1; John DOE, 2004 WL 5262831 (Ark.Cir.)*

9. The case cited above gives a good example of how a caption in this case would name the true plaintiff, ie, Micheal Pietrczak, through his agent WALTER PIETRCZAK claiming Power of Attorney.
10. Because any judgment in this case will be challenged on incorrect summons and caption, it would save the People's resources to dismiss it immediately.
11. Any refiling will be a third bite at the apple and outside the statute of limitations, therefore dismissal should be with prejudice.

Submitted this 7th day of October, 2021.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road

Conway, Arkansas 72032

(760) 966-6000
Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on October 7, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Motion to Find Complaint Void for Improper Caption and Summons and brief within with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

October 7, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN **DEFENDANT**

SUMMONS

THE STATE OF ARKANSAS TO DEFENDANT:

Rural Revival Living Trust
c/o Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032

A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it) — or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas — you must file with the clerk of this court a written answer to the complaint or a motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiff's attorney, whose name and address are: William Z. White, 706 W. Quitman St., Heber Springs, AR 72543.

If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.

Additional Notices:

1. Complaint and Demand for Jury Trial.

CLERK OF COURT

Address of Clerk's Office:
DEBBIE LOGGINS, CIRCUIT CLERK
CIRCUIT COURT OF SEARCY COUNTY
PO BOX 998
MARSHALL, AR 72650

_____
[Signature of Clerk or Deputy Clerk]

Date:_____[SEAL]

This summons is for Rural Revival Living Trust.

PROOF OF SERVICE

□ I personally delivered the summons and complaint to the individual at _____ _____[place] on _____ [date]; or

□ I left the summons and complaint in the proximity of the individual by _____ _____ after he/she refused to receive it when I offered it to him/her; or

□ I left the summons and complaint at the individual's dwelling house or usual place of abode at _____[address] with _____[name], a person at least 14 years of age who resides there, on _____[date]; or

□ I delivered the summons and complaint to _____[name of individual], an agent authorized by appointment or by law to receive service of summons on behalf of _____[name of defendant] on _____[date]; or

□ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I served the summons and complaint on the defendant by certified mail, return receipt requested, restricted delivery, as shown by the attached signed return receipt.

□ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I mailed a copy of the summons and complaint by first-class mail to the defendant together with two copies of a notice and acknowledgment and received the attached notice and acknowledgment form within twenty days after the date of mailing.

□ Other [specify]: _____ I was unable to execute service because: _____

My fee is $ ____.

To be completed if service is by a sheriff or deputy sheriff:

Date: _____ SHERIFF OF _____ COUNTY, ARKANSAS

By: _____
[Signature of server]

_____
[Printed name, title, and badge number]

To be completed if service is by a person other than a sheriff or deputy sheriff:

Date: _____ By: _____
[Signature of server]

_____
[Printed name]

Address: _____

_____

Phone: _____

Subscribed and sworn to before me this date: _____

_____
Notary Public

My commission expires: _____

Additional information regarding service or attempted service:

_____

_____

Arkansas Judiciary

Case Title: MICHAEL PEITRCZAK V RURAL LIVING TRUST ETAL.

Case Number: 65CV-21-20

Type: SUMMONS - FILER PREPARED

So Ordered

Michelle Loggins

Michelle Loggins, Searcy County
Deputy Clerk

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Oct-08 10:00:26
65CV-21-20
C20D01 : 7 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

HAMMETT'S MOTION TO STRIKE A SUMMONS, FIND COMPLAINT VOID FOR IMPROPER CAPTION AND SUMMONS AND A MORE DEFINITE STATEMENT

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Hammett"), in pro se, and for her Motion to find Complaint Void for Improper Caption and Summons states as follows:

1. The Plaintiff filed the "Complaint" on April 23, 2021.
2. A summons was filer prepared and issued on October 7, 2021.
3. The summons was served "c/o Laura Lynn Hammett" which usual usage means "care of Laura Lynn Hammett" on October 7, 2021 by the hand delivery of Searcy County deputy Sheriff Ezra D Pierce at about 4:29 PM.
4. The summons is directed to a trust, "Rural Revival Living Trust".
5. The summons is not directed to a trustee of that trust.
6. The summons specifies that it is being given to an individual.
7. At the same time, a copy of the Complaint was handed to Laura Lynn Hammett.
8. Because the summons named Laura Lynn Hammett as an individual (the default), Hammett read and analyzed the complaint. She finds it legally insufficient.
9. The Caption of the Complaint names "Micheal Pietrczak" as plaintiff.
10. The Complaint preamble states "Comes now, the Plaintiff, Micheal Pietrczak (hereafter referred to as "Pietrczak")- Walter Pietrczak, Power of Attorney-in-Fact or Plaintiff…"
11. The Complaint alleges "Walter Pietrczak is the duly authorized agent of the Plaintiff as indicated by the Durable Power of Attorney executed by the Plaintiff…" (Complaint ¶ 4).
12. The Summons issued names "Micheal Pietrczak" as plaintiff.

13. Hammett asks the Court to deem the Complaint and Summons void, as it named the wrong plaintiff, the summons was served on Laura Lynn Hammett as an individual instead of as a trustee and dismiss the case as void ab initio.

14. As Plaintiff is well aware, because he repeated it several times in the Complaint and subsequently, an individual is not authorized to advocate on behalf of a trustee or a trust. Plaintiff's counsel suggests several times that "Laura Lynn" who is now legally named Laura Lynn Hammett ("Hammett"), should be referred to law enforcement for practicing law unauthorized.

15. Plaintiff's counsel then prepared a summons for a trust defendant and specifically addressed it to an individual.

16. Hammett refuses to act on behalf of a trust, Hammett is not a licensed process server, so she can't be handed a summons to serve on a separate party, the trust, and therefore asks the Court to strike the summons.

17. Hammett renews her objection to a second and necessary party being served summons outside the 120 days allowed by Ark. R. Civ. Pro 4(i)(2) without a written motion to extend time and opportunity to respond as per Ark. R. Civ Pro. 6 & 7.

18. If overruling her objection is not legal error, then Hammett requests the Court order that a summons for "Rural Revival Living Trust" not be directed toward Hammett as an individual. Hammett and the Rural Revival Living Trust are not alter egos.

19. This Court decided that Hammett and the Rural Revival Living Trust are not alter egos in the case of *Laura Lynn Hammett v. Shelter Mutual Insurance Company, et al, 23CV-21-318* ("*Shelter*").

20. In *Shelter*, the defendant insurance company asked that the complaint be dismissed as it did not name a necessary party. Hammett argued that the trustee of the Rural Revival Living Trust would agree to assign all rights to a settlement or verdict against the insurance company to Hammett as an individual.

21. On September 21, 2021, this Court granted the motion to dismiss, with leave to amend to add a document and add "Rural Revival Living Trust" as a party. By its order the Court foreclosed any argument that Rural Revival Living Trust and Laura Lynn Hammett are alter egos.

22. In case the Court deems the summons was directed at Hammett as an individual, and not the Rural Revival Living Trust, Hammett read through the complaint to see if there was some argument that Hammett and the trust were one and the same.

23. The Complaint is ambiguous. The character chain "and/or" is repeated throughout. "And/or" is not a word found in any dictionary. It is meaningless, in that it does not mean "and" or "or". If a form uses a slash between two words, the meaning is to choose which word applies.

24. For example, in Complaint paragraph 25, Plaintiff wrote: "Lynn and/or the Rural Revival Living Trust has failed to remit the appropriate principal amount [etc.] of the Mortgage Agreement."

25. The Mortgage Agreement was signed by Lynn as Trustee of the Rural Revival Living Trust, not as an individual. Lynn did not sign as guarantor.

Assuming the mortgage was a valid contract, which it was not, Pietrczak has no recourse against Lynn as an individual.

26. Assuming payments were due from the trust, which they were not, and the trust failed to remit, the allegation would be true with the word "or" but not the word "and". Lynn (Hammett) did not fail to remit, so "and" is not true.

27. Hammett believes the complaint must be dismissed for a myriad of reasons already argued, but if the Court allows the case to proceed, Hammett asks that the Plaintiff amend to make a more definite statement by using either "and" or "or" instead of "and/or".

Brief in Support

28. "*Form of Summons.* The summons shall be [] directed from the State of Arkansas to the defendant to be served. It shall contain:(1) in its caption, the names of the plaintiff and defendant or, if there are multiple parties, the names of the plaintiff and defendant listed first in the complaint;" *Rule 4 - Summons and Service of Process*, Ark. R. Civ. P. 4

29. "There is a difference between misidentification and misnomer. When there is a variation in the party's name that would not create any confusion as to which party was being sued [such as using "Laura Lynn" instead of "Laura Lynn Hammett"], but the correct party is actually served, the question is one of misnomer, not misidentification. When the name is incorrect and the correct party is not served, the issue is one of misidentification. When there is a misnomer, the service is nevertheless valid." *Kevin SHOTZMAN and Holly Shotzman Individually and as Parents and Next Friends of Jake Shotzman, A Minor, Plaintiffs, v. Mike BERUMEN*

III, M.D.; Shandra Hall, R.N.; Laura Dawkins, R.N.; Glenda Welty, R.N. Dana Colley, R.N.; Sisters of Mercy of the St. Lous Regional Community, Inc. d/b/a St. Edward Mercy Medical Center; Sisters O Fmercy Health System, St. Louis, Inc d/b/a St. Edward Mercy Medical Center; Sisters of Mercy Liability Fund; John DOE 1; John DOE, 2004 WL 5262831 (Ark.Cir.)

30. The case cited above gives a good example of how a caption in this case would name the true plaintiff, ie, Micheal Pietrczak, through his agent WALTER PIETRCZAK claiming Power of Attorney.

31. "*Trusts.* Service on a trust shall be on a trustee of the trust, on the trustee's secretary or assistant, or as provided by statute." *Rule 4 - Summons and Service of Process*, Ark. R. Civ. P. 4

32. Hammett asks the Court to order the Plaintiff to refrain from serving legal process meant for a trust on Hammett as an individual. It is confusing and encourages Hammett to commit the unauthorized practice of law. Service on Rural RevivalLiving Trust must be on its "trustee", not care of an individual.

33. "**(e) Motion for More Definite Statement.** If a pleading to which a responsive pleading is permitted is so vague or ambiguous that a party cannot reasonably be required to frame a responsive pleading, he may move for a more definite statement before interposing his responsive pleading. The motion shall point out the defects complained of and the details desired. If the motion is granted and the order of the court is not obeyed within 10 days after notice of the order or within such other time as the court may fix, the court may strike the pleading to which the motion is directed or make such order as it deems just." Ark. R. Civ. P. 12

Submitted this 8th day of October, 2021.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road

Conway, Arkansas 72032

(760) 966-6000

Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on October 8, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Motion to Strike a Summons, Find Complaint Void for Improper Caption and Summons and a more definite statement and brief within with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

October 8, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Oct-13 09:51:40
65CV-21-20
C20D01 : 4 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

LETTER TO COURT CONCERNING (PROPOSED) ORDER VOIDING CONTRACT DATED FEBRUARY 23, 2015

To the Court and Counsel of Record:

The Court expressed that it would void the contract discussed at the hearing of October 7, 2021. Because no written order has issued, I am filing a proposed order.

One party to the contract was not in court on October 7, 2021, though he did appear at the hearing of August 4, 2021 with attorney William White. I presumed Mr. White has authority to make decisions for Micheal Pietrczak, even though the complaint was filed on behalf of "Walter Pietrczak Attorney-in-fact" to Micheal Pietrczak.

If Mr. White was without authority to make decisions for Micheal Pietrczak on October 7, 2021, he should inform the Court and me of this before the order is entered.

The facts reiterated in the proposed order:

1. Plaintiff's counsel represented to the Court that he is authorized to advocate on behalf of Micheal Pietrczak through Walter Pietrczak Attorney-in-Fact. (Signature on page 18 of the complaint)
2. There is a controversy about the revocation of the Power-of-Attorney.
3. Plaintiff's counsel used "Micheal Pietrczak" in the caption of the complaint, instead of "Micheal Pietrczak – Walter Pietrczak Attorney -in-fact" as per the signature and body of the complaint.
4. In responses to requests for admissions filed August 20, 2021, Plaintiff's Counsel omitted the words "Walter Pietrczak Attorney-in-fact" from the signature.
5. In the responses to requests for admissions filed August 20, 2021, signed by Plaintiff's counsel, purportedly directly authorized by Micheal Pietrczak

(though misspelled M-I-C-H-A-E-L), request No. 4, Micheal Pietrczak denies that Mr. Walter Pietrczak was the duly authorized agent of Micheal Pietrczak at the time of filing the complaint.

6. In response No. 5, Micheal Pietrczak denies that he alleged all the facts alleged in the complaint.
7. Assuming that Mr. White received authorization to represent Micheal Pietrczak on October 7, 2021, Micheal Pietrczak and Laura Lynn Hammett each agreed that the contract they signed on February 23, 2015, exhibit 3 attached to the complaint shall be deemed void.
8. Hammett denied that the contract is "illegal", admitted there is some ambiguity which creates a matter in controversy for a jury, thinks her interpretation of the contract is the correct interpretation and agreement as of February 23, 2015; but, Hammett contends that prior to February 23, 2015, Micheal Pietrczak would be legally entitled to take nothing from the assets he controlled as trustee of the Laura Lynn Living Trust or which he held in bailment or constructive trust for Hammett, and therefore Hammett stipulated to deeming the contract void.
9. "A third party who in good faith relies on the express terms of the power of attorney that is valid on its face is entitled to enforce the actions taken by the attorney-in-fact; proof that the grantor's intent was different than what was expressed in the document is not effective to defeat such good faith reliance. However, a party possessing actual knowledge that the power of attorney was not validly executed may not rely on the presumptive validity of the power of attorney." *140 Am. Jur. Trials 185 (Originally published in 2015)*

10. Because Micheal Pietrczak through attorney William White claimed the Power-of-Attorney was not in effect when the complaint was filed, the Court and Hammett will rely on Mr. White's representation that he had authority to represent Micheal Pietrczak on October 7, 2021. This is congruent with Micheal Pietrczak appearing at the hearing of August 4, 2021 alongside Mr. White.
11. Therefore the contract signed by Micheal Pietrczak and Laura Lynn (Hammett) on February 23, 2015 is deemed void.

Respectfully,

/s/ Laura Lynn Hammett
Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counter Claimant in pro se

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2021-Oct-13 17:25:48
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

OBJECTION TO PROPOSED ORDER GRANTING MOTION TO DECLARE CONTRACT VOID AB INITIO FOR ILLEGALITY

1. Plaintiff filed a proposed order (though leaving out the word "proposed") "Granting Motion to Declare Contract Void Ab Initio For Illegality" on October 13, 2021.
2. The proposed order does not reflect what Hammett "agreed and consented to" during the hearing of October 7, 2021.
3. Hammett said she believes the contract was legal and it is ambiguous, meaning the interpretation is in controversy and should be decided by a jury, but that practically, deeming the contract void supports a larger award to Hammett, and so she does not object to the Court voiding the contract.
4. If Plaintiff's proposed order is adopted, Hammett asks that the language in paragraph 2 be amended to: "During those oral arguments, Laura Lynn (Hammett) consented to the Court's finding that the contract attached as Exhibit 1 is hereby declared void and does not now have any legal affect".

Respectfully Submitted,

October 13, 2021 /s/Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counter Claimant in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on October 13, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Objection to proposed Order Granting Motion to Declare Contract

Void Ab Initio for Illegality with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

October 13, 2021

/S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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65CV-21-20
C20D01 : 1 Page

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **NO. 65CV-21-20**

RURAL REVIVIAL LIVING TRUST
AND LAURA LYNN **DEFENDANT**

ORDER GRANTING MOTION TO DECLARE CONTRACT VOID AB INITIO

On October 7, 2021, this matter came before the court. The Court, based on the pleadings, arguments, and all other considerations before the court, doth hereby FIND, ORDER, ADJUDGE, AND DECREE:

1. Both William Z. White and Laura Lynn Hammett presented oral arguments.
2. Laura Lynn Hammett agreed and consented to the Court finding the contract void ab initio.
3. The said contract is void ab initio and, therefore, is deemed to have no legal effect as if it never existed.

IT IS SO ORDERED.

CIRCUIT JUDGE

10/14/2021
DATE

Issued by the

CIRCUIT COURT

Searcy County, Arkansas

Micheal Pietrczak

v.

Rural Revival Living Trust, et al

SUBPOENA IN A CIVIL CASE

CASE NUMBER 65CV-21-20

TO: Zoom Video Communications, Inc.

☐ YOU ARE COMMANDED to appear in the _____ Court of _____ County, Arkansas, at the place, date, and time specified below to testify in the above case.

Place of Testimony	Courtroom
	Date and Time

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the taking of a deposition in the above case.

Place of Deposition	Date and Time

☐ YOU ARE COMMANDED, at the time of the trial, hearing or deposition described above, to produce and permit inspection and copying of the following documents or objects (list documents or objects):

☑ YOU ARE COMMANDED, no more than 19 business days after receiving this subpoena, to produce and permit inspection and copying of the following documents or objects (list documents or objects):

Any recording, digital copy, or other electronic evidence of ZoomGov Hearing Meeting ID 161 846 9170, made on August 4, 2021 at about 9 AM central time. (Manner of production see attachment A)

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Arkansas Rules of Civil Procedure 30(b)(6).

Issuing Officer Signature and Title (Indicate if Attorney for Plaintiff or Defendant) Date

Issuing Officer's Name, Address, and Phone Number

PROOF OF SERVICE

SERVED Date Place

Served on (Print name) Manner of Service

Served by (Print name) Title

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____ _____
Date Signature of Server

_____
Address of Server

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

Regardless of his or her county of residence, a witness subpoenaed for examination at a trial or hearing must be properly served with a subpoena at least two days prior to the trial or hearing, or within a shorter time if the court so orders. The subpoena must be accompanied by a witness fee calculated at the rate of $30.00 per day for attendance and $0.25 per mile for travel from the witness' residence to the place of the trial or hearing. Rule 45(d), Ark. R. Civ. P.

A witness subpoenaed in connection with a deposition must be properly served with a subpoena at least five business days prior to a deposition, or within a shorter time if the court so orders. The witness is required to attend a deposition at any place within 100 miles of where he or she resides, is employed, or transacts business in person, or at such other convenient place set by court order. The subpoena must be accompanied by a witness fee calculated at the rate of $30.00 per day for attendance and $0.25 per mile for travel from the witness' residence to the place of the deposition. Rule 45(e), Ark. R. Civ. P.

A subpoena may command the person to whom it is directed to produce for inspection any books, papers, documents, or tangible things designated in the subpoena. The person subpoenaed may ask the court to quash or modify the subpoena if it is unreasonable or oppressive or to require that the person on whose behalf the subpoena is issued pay the reasonable cost of such production. Rule 45(b), Ark. R. Civ. P. The person subpoenaed may also object in writing to inspection or copying of any or all of the designated materials or seek a protective order from the court. If a written objection is made within ten days of service of the subpoena or on or before the time specified for compliance if such time is less than ten days, the party causing the subpoena to be issued is not entitled to inspect the materials unless the court so orders. Rule 45(e), Ark. R. Civ. P.

When a witness fails to attend in obedience to a subpoena or intentionally evades the service of a subpoena by concealment or otherwise, the court may issue a warrant for arresting and bringing the witness before the court to give testimony and answer for contempt. Rule 45(g), Ark. R. Civ. P.

ATTACHMENT A

Please produce the requested recording, digital copy or other electronic evidence by the most convenient method to Zoom Video Communications, Inc. to:

Laura Hammett

16 Gold Lake Club Road

Conway, Arkansas 72032

(760) 966-6000

Bohemian_books@yahoo.com

Arkansas Judiciary

Case Title: MICHAEL PEITRCZAK V RURAL LIVING TRUST ETAL.

Case Number: 65CV-21-20

Type: SUBPOENA ISSUED

So Ordered



Mary Beth Martin, Searcy County Deputy Clerk

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Debbie Loggins, Circuit/County Clerk
2021-Oct-28 14:09:00
65CV-21-20
C20D01 : 8 Pages

Jana Perry

From: Jana Perry
Sent: Wednesday, August 25, 2021 2:26 PM
To: 'Laura Lynn'
Subject: RE: Pietrczak v Rural Revival Living Trust et al 65CV-21-20

Ms. Hammett,

I want to acknowledge that I am in receipt of your most recent email. Respectfully, I am unable to respond to your questions due to the subject matter being out of my purview due to requiring legal advice.

Sincerely,

Jana Perry, CCR
Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

From: Laura Lynn [mailto:bohemian_books@yahoo.com]
Sent: Wednesday, August 25, 2021 11:02 AM
To: William Z. White
Cc: Jana Perry
Subject: Re: Pietrczak v Rural Revival Living Trust et al 65CV-21-20

Mr. White,

I am following ARAP 6(e) and ARCP Rule 1.

Court reporters are not infallible. There is a process for challenging discrepancies, and I am trying to follow it.

We will be going to appeal. That is a given.

Ms. Perry, if you have a procedure I need to follow to challenge the discrepancies I found, please advise me where to find it in writing.

I am not an attorney, but I found some caselaw that discussed settling the record. I'm not the first person to question if there was an error in the transcript.

It is nothing personal. When I helped remove a bad judicial officer from the bench in California, the court reporter was one of my greatest allies.

Sincerely,

Laura Hammett

On Wednesday, August 25, 2021, 10:37:23 AM CDT, William Z. White <wzwhite@wzwhite.com> wrote:

I'll go with Ms. Perry's record seeing as how she is the Court Reporter. Thanks Ms. Perry for the needless transcript. I'm sure at some point Ms. Hammett will begin attacking you just as she has everyone else in the case.

This message was sent from my iPhone. Please excuse any typographical or punctuation errors.

On Aug 25, 2021, at 5:30 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

Ms. Perry and Mr. White,

I am in receipt of the transcript. I have not had my administrative assistant who was taking notes look through it and she is ill today.

Based on my own limited notes, I found a few of what I believe to be errors.

Pursuant to ARAP 6 (e) *Correction or modification of the record.* If any difference arises as to whether the record truly discloses what occurred in the circuit court, the difference shall be submitted by motion to and settled by that court and the record made to conform to the truth. If anything material to either party is omitted from the record by error or accident or is misstated therein, the parties by stipulation, or the circuit court before the record is transmitted to the appellate court, or the appellate court on motion made no later than 30 days after the appellee's brief is filed in the appellate court, or on its own initiative, may direct that the omission or misstatement shall be corrected, and if necessary, that a supplemental record be certified and transmitted. All other questions as to form and content of the record shall be presented to the appellate court. No correction or modification of the record shall be made without prior notice to all parties.

Eventually I will make a motion to settle the record in the appellate court. If the parties can agree to the corrections by stipulation, of course that would be wonderful.

I am not sure about the procedure. So, I will just ask for these corrections and if we may hear the tape to refresh our memories.

1) On page 11 after line 16, Ms. Perry indicated that she might not have heard something or Judge Weaver stopped speaking a couple times. Mr. White was speaking and I wrote down in quotes "I'm not going to walk you through this."

I was an investigative journalist who covered the courts in California and was never sued for defamation. I am extremely careful about what I write and do not place a statement in quotation marks unless it is an exact quote.

2) I did not make quotation marks, but noted that after the break, when Judge Weaver said she spoke to the AOC, she was advised that the motion for extension had to be in writing and I had to have an opportunity to respond.

This makes sense, since the ARCP 4(i)(2) says the motion must be in writing and Mr. White actually did make the motion in writing. I just was not given an opportunity to respond.

3) On the same subject, I have no recollection or note of the lines 19 to 25 on page 24. It is possible Zoom did not work during that time on my computer. It would be great to hear the reporter's tape.

4) I don't know exactly where this word fit in. There are two times that Ms. Perry heard "alter ego". At sometime I heard "alter ego doctrine". I wrote that down because I knew about alter egos, but had never heard of it called a doctrine before and wanted to look it up. "Doctrine" did not occur in the transcript. This one is not material yet, but if Mr. White remembers where he said that, maybe listening to that part of the tape again, it will make sense.

I know Zoom was not good communication. But maybe it was better than the court reporter's tape (since I heard things that Ms. Perry did not write). If either of you knows how we can get the Zoom recording, please let me know. Otherwise I can try a FOIA request or subpoena. I know the transcript takes precedence in court, but it may help to settle the record.

Thank you,

Laura Hammett

On Tuesday, August 24, 2021, 11:42:54 PM CDT, Jana Perry <jana.perry@faulknercounty.org> wrote:

Ms. Hammett,

Please see the attached PDF transcript for the hearing held on August 4, 2021. The total balance actually ended up being $127.10, so I will have a $28.70 refund for you tomorrow when you pick up the certified copy.

Thank you,

Jana Perry, CCR

From: Laura Lynn <bohemian_books@yahoo.com>
Sent: Tuesday, August 24, 2021 9:46:13 AM

To: Jana Perry; William Z. White
Subject: Re: Pietrczak v Rural Revival Living Trust et al 65CV-21-20

Dear Ms. Perry,

Thank you. I was just going to inquire.

My reports to law enforcement and elsewhere, which Mr. White disclosed to the Court and the public already, are in contradiction to some of the statements made by the Court since the hearing. They may have or get the Zoom record or your recording but I know everyone likes having the transcript.

What you do is a huge service to our country.

Laura Hammett

On Tuesday, August 24, 2021, 09:14:40 AM CDT, Jana Perry <jana.perry@faulknercounty.org> wrote:

Ms. Hammett,

I had another transcript order ahead of yours that I absolutely had to finish first. I will have a PDF copy of your transcript to you this evening. I will have the certified copy at the courthouse tomorrow afternoon, and I will let you know when you can stop by to pick it up.

Thank you,

Jana Perry, CCR

Official Court Reporter

Judge Susan Weaver

20th Judicial Circuit

First Division

501-450-4955

Fax 501-450-4977

jana.perry@faulknercounty.org

From: Laura Lynn [mailto:bohemian_books@yahoo.com]
Sent: Thursday, August 19, 2021 8:29 AM
To: Jana Perry
Cc: William Z. White; Tammy Weaver
Subject: Re: Pietrczak v Rural Revival Living Trust et al 65CV-21-20

Thank you.

On Thursday, August 19, 2021, 08:00:40 AM CDT, Jana Perry <jana.perry@faulknercounty.org> wrote:

Ms. Lynn,

I just turned in the appeal I was working on, so I will start on your transcript tomorrow. I will email a PDF copy to you and leave a certified copy at the front desk downstairs once it's completed.

Thank you,

Jana Perry, CCR

Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

Sent from my iPhone

On Aug 19, 2021, at 7:47 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

Dear Ms. Perry,

Mr. White filed a motion yesterday in which he made some statements about what was said in our hearing on August 4, 2021 which are contrary to my recollection and the

recollection and notes taken by my administrative assistant.

I am also presenting the transcript to some ethics committees to use in tandem with other evidence. Of course the certified transcript is "best evidence" of what was said, in

most cases, so I am eager to present that.

When can I expect the transcript to be mailed? Is it possible to send an email copy through dropbox or otherwise?

Thank you,

Laura Hammett

On Wednesday, August 4, 2021, 12:15:39 PM CDT, Jana Perry <jana.perry@faulknercounty.org> wrote:

Thank you.

Jana Perry, CCR

Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

Sent from my iPhone

On Aug 4, 2021, at 11:57 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

Thank you. I'll send a check.

On Wednesday, August 4, 2021, 11:49:41 AM CDT, Jana Perry <jana.perry@faulknercounty.org> wrote:

Ms. Lynn,

I have two appeals due by the 17th, so I cannot have the transcript to you until after that date. You will need to remit payment of $155.80 for the estimated total to:

Jana Perry, CCR

PO Box 151

Greenbrier, AR 72058

Thank you,

Jana Perry, CCR

Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

Sent from my iPhone

On Aug 4, 2021, at 11:23 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

Dear Ms. Perry,

What is required to get a certified copy of the transcript of today's hearing, August 4, 2021 at 9 AM?

Thank you,

Laura Hammett

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2021-Oct-28 14:11:12
65CV-21-20
C20D01 : 4 Pages

Jana Perry

From: Jana Perry
Sent: Wednesday, August 25, 2021 2:30 PM
To: 'Laura Lynn'
Subject: FW: Pietrczak v Rural Revival Living Trust et al 65CV-21-20

Ms. Hammett,

A certified transcript and partial deposit refund is at the front desk of the Faulkner County Courthouse for you to pick up.

Thank you,

Jana Perry, CCR
Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

From: Jana Perry
Sent: Tuesday, August 24, 2021 11:43 PM
To: Laura Lynn
Subject: Re: Pietrczak v Rural Revival Living Trust et al 65CV-21-20

Ms. Hammett,

Please see the attached PDF transcript for the hearing held on August 4, 2021. The total balance actually ended up being $127.10, so I will have a $28.70 refund for you tomorrow when you pick up the certified copy.

Thank you,

Jana Perry, CCR

From: Laura Lynn <bohemian_books@yahoo.com>
Sent: Tuesday, August 24, 2021 9:46:13 AM
To: Jana Perry; William Z. White
Subject: Re: Pietrczak v Rural Revival Living Trust et al 65CV-21-20

Dear Ms. Perry,

Thank you. I was just going to inquire.

My reports to law enforcement and elsewhere, which Mr. White disclosed to the Court and the public already, are in contradiction to some of the statements made by the Court since the hearing. They may have or get the Zoom record or your recording but I know everyone likes having the transcript.

What you do is a huge service to our country.

Laura Hammett

On Tuesday, August 24, 2021, 09:14:40 AM CDT, Jana Perry <jana.perry@faulknercounty.org> wrote:

Ms. Hammett,

I had another transcript order ahead of yours that I absolutely had to finish first. I will have a PDF copy of your transcript to you this evening. I will have the certified copy at the courthouse tomorrow afternoon, and I will let you know when you can stop by to pick it up.

Thank you,

Jana Perry, CCR
Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

From: Laura Lynn [mailto:bohemian_books@yahoo.com]
Sent: Thursday, August 19, 2021 8:29 AM
To: Jana Perry
Cc: William Z. White; Tammy Weaver
Subject: Re: Pietrczak v Rural Revival Living Trust et al 65CV-21-20

Thank you.

On Thursday, August 19, 2021, 08:00:40 AM CDT, Jana Perry <jana.perry@faulknercounty.org> wrote:

Ms. Lynn,

I just turned in the appeal I was working on, so I will start on your transcript tomorrow. I will email a PDF copy to you and leave a certified copy at the front desk downstairs once it's completed.

Thank you,

Jana Perry, CCR
Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977

jana.perry@faulknercounty.org

Sent from my iPhone

On Aug 19, 2021, at 7:47 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

Dear Ms. Perry,

Mr. White filed a motion yesterday in which he made some statements about what was said in our hearing on August 4, 2021 which are contrary to my recollection and the

recollection and notes taken by my administrative assistant.

I am also presenting the transcript to some ethics committees to use in tandem with other evidence. Of course the certified transcript is "best evidence" of what was said, in

most cases, so I am eager to present that.

When can I expect the transcript to be mailed? Is it possible to send an email copy through dropbox or otherwise?

Thank you,

Laura Hammett

On Wednesday, August 4, 2021, 12:15:39 PM CDT, Jana Perry <jana.perry@faulknercounty.org> wrote:

Thank you.

Jana Perry, CCR
Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

Sent from my iPhone

On Aug 4, 2021, at 11:57 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

Thank you. I'll send a check.

On Wednesday, August 4, 2021, 11:49:41 AM CDT, Jana Perry <jana.perry@faulknercounty.org> wrote:

Ms. Lynn,

I have two appeals due by the 17th, so I cannot have the transcript to you until after that date. You will need to remit payment of $155.80 for the estimated total to:

Jana Perry, CCR
PO Box 151
Greenbrier, AR 72058

Thank you,

Jana Perry, CCR
Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

Sent from my iPhone

On Aug 4, 2021, at 11:23 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

> Dear Ms. Perry,
>
> What is required to get a certified copy of the transcript of today's hearing, August 4, 2021 at 9 AM?
>
> Thank you,
>
> Laura Hammett
> CAUTION: This email originated from outside of the Faulkner County Email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Oct-28 14:12:02
65CV-21-20
C20D01 : 2 Pages

Jana Perry

From: Jana Perry
Sent: Thursday, August 26, 2021 8:52 PM
To: Laura Lynn
Cc: William Z. White
Subject: Re: Pietrczak v. Laura Lynn Hammett

Ms. Hammett,

The official record of any court proceeding is the certified transcript, which has been provided to you. I stand by my record.

Respectfully,

Jana Perry, CCR
Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

On Aug 26, 2021, at 6:37 PM, Laura Lynn <bohemian_books@yahoo.com> wrote:

> Dear Ms. Perry,
>
> I found the information about filing a grievance on the Board of Certified Court Reporter's Website.
>
> I have not filed a grievance pursuant to Sec 19 (e) (2) yet. Once I decide to file a grievance, I must agree to confidentiality.
>
> My faith tells me to speak to the person who has wronged me first, to give her an opportunity to make amends.
>
> There are several errors in the transcript, the ones I already mentioned in a previous email and others.
>
> I can understand if you miss a word or two, but it looks bad that the missing words have to do with snotty, unprofessional comments made by Mr. White and Judge Weaver's attempt to extend time to serve without a written motion pursuant to ARCP 4(i)(2).
>
> Also, a bad sound system would not cause you to hear whole sentences that did not get said. It is possible my sound cut out and I did not hear Judge Weaver give permission

for an oral motion to extend time. Now that I have the transcript, assuming that it was accurate, I will object and she will be overturned on appeal.

Please do the right thing and make all corrections before 5 PM tomorrow.

Thank you,

Laura Hammett
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ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Oct-28 14:13:58
65CV-21-20
C20D01 : 2 Pages

Jana Perry

From: Jana Perry
Sent: Wednesday, October 20, 2021 11:28 AM
To: Laura Lynn
Cc: William Z. White; Brooke Hipp; Chris Butts
Subject: Re: Pietrczak v Rural Revival Living Trust

Your allegations contained in your email are denied.

Jana Perry, CCR
Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

Sent from my iPhone

On Oct 20, 2021, at 8:12 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

> Dear Ms. Perry,
>
> Thank you.
>
> I decided that because there were so many significant inaccuracies in the transcript of the August 4, 2021 hearing, it would be a waste of money to get a copy of the October 7, 2021 transcript, and reading a purposefully inaccurate transcript would have a negative affect on my mental health.
>
> After I am allowed to listen to the recording of August 4, 2021 and perhaps be able to clarify what was said in place of the many dash lines, "inaudible" and dialogue about the oral motion to extend time for service of summons, I will give you another chance to use your position as a government employee to provide due process for the protection of my property rights.
>
> Regards,
>
> Laura Hammett
>
> On Thursday, October 14, 2021, 03:53:32 PM CDT, Jana Perry <jana.perry@faulknercounty.org> wrote:

Ms. Hammett,

I will begin working on the transcript once I am in receipt of the estimated total of $225.50. Since we have a four-day jury trial next week, I should have it completed by October 25th. Please remit prepayment to:

Jana Perry, CCR
PO Box 151
Greenbrier, AR 72058

Thank you,

Jana Perry, CCR
Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

Sent from my iPhone

On Oct 14, 2021, at 2:46 PM, Laura Lynn <bohemian_books@yahoo.com> wrote:

> Dear Ms. Perry,
>
> Please make a transcript of the hearing of October 7, 2021 in the above titled case.
>
> Please let me know the amount to put on my check and if you know when you estimate it might be ready.
>
> Regards,
>
> Laura Hammett.
> CAUTION: This email originated from outside of the Faulkner County Email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CAUTION: This email originated from outside of the Faulkner County Email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Dec-22 08:45:45
65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 3

Certified mail Receipt



USPS TRACKING #

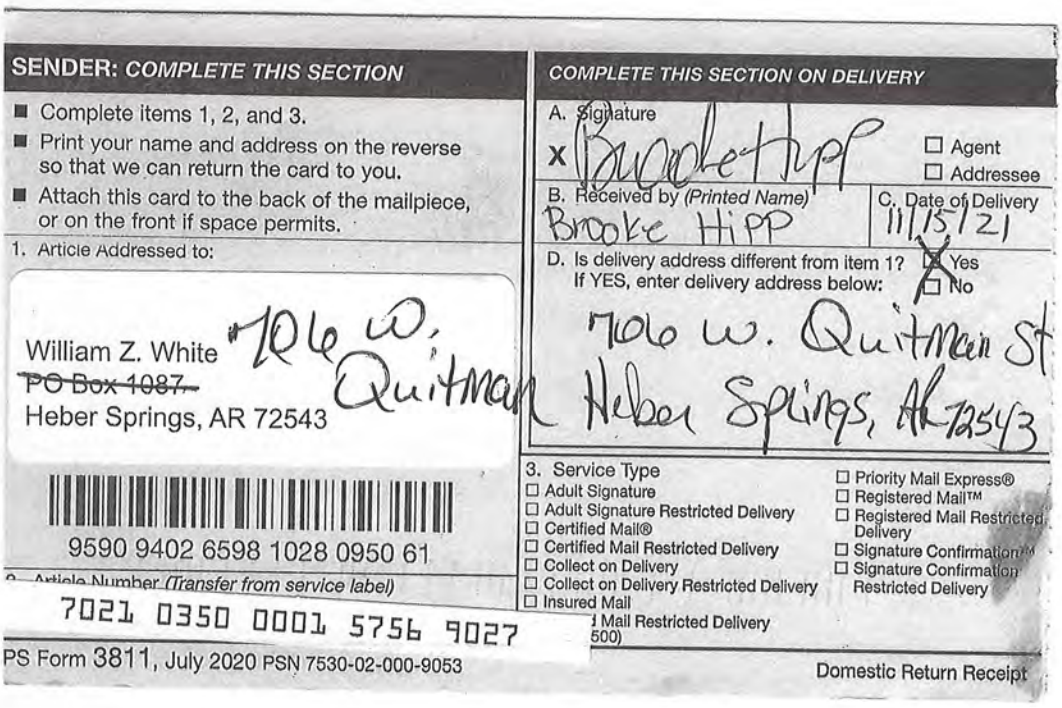
9590 9402 6598 1028 0950 61

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

Laura Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032



SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William Z. White
~~PO Box 1087~~
Heber Springs, AR 72543

706 W. Quitman

9590 9402 6598 1028 0950 61

2. Article Number *(Transfer from service label)*
7021 0350 0001 5756 9027

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
x Brooke Hipp ☐ Agent ☐ Addressee

B. Received by *(Printed Name)*
Brooke Hipp

C. Date of Delivery
11/15/21

D. Is delivery address different from item 1? ☒ Yes ☐ No
If YES, enter delivery address below:
706 W. Quitman St
Heber Springs, AR 72543

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Mail Restricted Delivery
500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Dec-22 08:45:45
65CV-21-20
C20D01 : 11 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 2

First Set Request for Production

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

DEFENDANT LAURA LYNN HAMMETT'S FIRST SET OF

REQUESTS FOR PRODUCTION PROPOUNDED TO PLAINTIFF

Defendant Laura Lynn ("Hammett" or "Defendant"), in pro se, pursuant to Rule 34 of the Arkansas Rules of Civil Procedure, propounds the following Requests for Production to Plaintiff, Micheal Pietrczak - --, Walter Pietrczak, Power of Attorney-in-Fact ("Plaintiff"). Plaintiff is requested to answer under oath the

interrogatories set forth below within thirty (30) days of the date of service, and thereafter supplement such productions as and when required by all applicable rules.

I. DEFINITIONS AND INSTRUCTIONS

1. Document: The terms "document" or "documents" shall have the broadest possible meaning permitted by Arkansas Rules of Civil Procedure 26 and 34 and the relevant case law, and shall include any tangible thing upon which any expression, communication, or representation has been recorded, as well as all "writings," "recordings," and "photographs," as defined by Arkansas Rule of Evidence 1001. The term "document" or "documents" shall specifically include materials stored electronically or electromagnetically (such as electronic mail, electronic files, Internet information or postings, or any other digital data storage or transmittal) and all drafts or non-final versions, alterations, modifications, and amendments to any of the foregoing, including all summary information and associated metadata. The term "document" or "documents" shall also include all attachments and enclosures, all drafts or copies that differ in any respect from the original, and all handwritten notations or notes attached on the front or back via adhesive or the like. (If copies are made of documents with notes attached on

the front or back via adhesive, they shall be produced both with and without the attached adhesive notes.). The term "document" or "documents" should also be deemed to include the file folder (whether physical, electronic, or otherwise), labeled box, or notebook containing the document, as well as any index, table of contents, list, or summaries that serve to organize, identify, or reference the document in the ordinary course of business.

2. Electronically stored information or ESI: The terms "electronically stored information" or "ESI" shall mean any information on operational systems including accounting, financial, distribution, or manufacturing systems; E-mail; Instant Messages (IM); Web pages; text messages; cell phone data; Excel spreadsheets and underlying formulae; metadata; computer databases (i.e., Access); erased, fragmented or damaged data; Blackberry data; and anything stored on computer or other electronic means located on or in, but not limited to cache memory; optical disks; magnetic tapes/back-up tapes; magnetic disks (hard drive, floppy disks, etc.); PDAs, Blackberries and Palm Pilots; cell phones; IM tools; or USB drives.

3. Communication: The term "communication" shall mean any transmission, conveyance, or exchange of information, whether by written, oral, or other means. It includes, without limitation: any meeting, discussion, contact, conference, telephone conversation, letter, e-mail transmission, Internet posting, memorandum,

document, message, telegram, telefax, mailgram, billing statement, any electronic recording, or other form of written or oral information transmission or exchange.

4. Regarding, relating to, or concerning: The terms "regarding," "relating to," or "concerning" shall mean, without limitation: comprising, alluding to, responding to, connected with, involving, commenting on, in respect of, about, discussing, evidencing, showing, describing, reflecting, analyzing, constituting, identifying, stating, or in any way touching upon.

5. Person: The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.

6. Parties: The terms "plaintiff" and "defendant," as well as a party's full or abbreviated name or a pronoun referring to a party, shall mean the party and, where applicable, its officers, directors, employees, partners, corporate parent, subsidiaries, or affiliates. This definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.

7. State/identify with particularity: With respect to any listed topic, subject or issue, the terms "state with particularity" or "identify with particularity" shall mean, and require you to: state all facts relating to the topic, subject, or issue; identify all persons who you know or believe have knowledge or information relating to the topic, subject or issue; and all communications and documents relating to the topic, subject or issue.

8. Identify (With Respect to Persons): When referring to a person, "to identify" shall mean to give, to the extent known, the person's full name, present or last known address, and, when referring to a natural person, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

9. Identify (With Respect to Documents): When referring to documents, "to identify" means to give, to the extent known: the type of document; general subject matter; date of the document; author(s), addressee(s) and recipient(s); whether or not there were drafts of the document prior to the final document, and if so, the identity of the custodian of those drafts and the date(s) of those drafts. In lieu of such description, you may attach appropriately identified copies of such documents to your answers to these Interrogatories.

10. You, Your, Plaintiff, and Pietrczak: The terms "you," "your," "Plaintiff" and shall refer to Plaintiff, Micheal Pietrczak - --, Walter Pietrczak, Power of Attorney-in-Fact, and any agents, attorneys, representatives or anyone acting on the Plaintiff's behalf or interest.

11. Hammett: The term "Hammett" shall mean Laura Lynn Hammett, an individual, also known as Laura Lynn or Laura Hammett.

12. Complaint: The term “Complaint” refers to the Complaint and Amended Complaint filed by Plaintiff in reference to the above captioned matter and any subsequent amendments thereto.

13. The Property: The Term “the Property” shall refer to the property commonly known as 9985 Lick Fork Road, Witts Spring, AR, 72686.

14. The Trust: The term “the Trust” refers to “Rural Revival Living Trust” named as a separate defendant in the Complaint.

15. The Trustee: The term “the Trustee” refers to Laura Lynn as Trustee of the Rural Revival Living Trust.

16. Micheal Pietrczak: The term “Micheal Pietrczak” shall mean the individual also known as “Michael Pietrczak”, “Mike Pietrczak” or any other name used by the person identified in Paragraph 1 of the Complaint.

17. Walter Pietrczak: The term “Walter Pietrczak” shall mean Micheal Pietrczak’s biological father.

INSTRUCTIONS

1. Pursuant to Arkansas Rule of Civil Procedure (“Rule”) 34, you must serve your responses to these requests for production within 30 days after service.

2. For each item or category, the response must either state that inspection and related activities will be permitted as requested or state with specificity the grounds for objecting to the request, including the reasons. You may state that you will timely produce copies of documents or of electronically stored information instead of permitting inspection.

3. An objection must state whether any responsive materials are being withheld on the basis of that objection. An objection to part of a request must specify the part and permit inspection of the rest.

4. With the exception of ESI, which should be produced in response to these requests in accordance with any prior agreement of the parties and/or any Joint Discovery Plan, all documents produced in response to these requests shall be produced in the same order as they are kept or maintained in the ordinary course of business and, where multiple pages or documents are assembled, collated, grouped, or otherwise attached, shall not be separated or disassembled.

5. If there are documents responsive to any paragraph or subparagraph set forth in the requests, please provide a written statement identifying the documents responsive to each such paragraph or subparagraph. If there are no documents responsive to any paragraph or subparagraph set forth in the requests, please provide a written response so stating.

6. With respect to any document responsive to this request that is withheld from

production based upon a claim of privilege, please provide the information required pursuant to Rule 267.

7. If, for reasons other than a claim of privilege, you refuse to produce any document requested herein, state the grounds upon which the refusal is based with sufficient specificity to permit a determination of the propriety of such refusal.

8. These requests are continuing in nature and, pursuant to Rule 26(e), require the further and supplemental production by Plaintiff whenever Plaintiff acquires, makes, or locates additional documents or information between the time of the initial production hereunder and the time of the trial in this action.

9. Documents responsive to more than one document request need not be produced more than once.

DOCUMENTS TO BE PRODUCED

Any and all documents, as that term is defined herein, in the possession, custody or control, or otherwise available to Plaintiff, which directly or indirectly refer, relate, constitute, reflect, evidence or in any way pertain to:

1. Each averment in the Complaint.

2. Documents identified in Answer to Interrogatory No. 9 regarding the Mortgage Agreement.

3. Documents identified in Answer to Interrogatory No. 10 regarding the demands for payment on the Mortgage Agreement.

4. Documents identified in Answer to Interrogatory No. 11 regarding the demands for payment on the Mortgage Agreement.

5. All medical records for Micheal Pietrczak for December 25, 2009 through present.

6. Any and all documentation evidencing Micheal Pietrczak's incapacitation claimed in Complaint paragraph 11.

7. Any and all documentation showing Micheal Pietrczak's income from December 25, 2009 through present.

8. All applications filed by or on behalf of Micheal Pietrczak for financial aid, including but not limited to Medicaid, SSI, disability, and Pandemic Unemployment Assistance from December 25, 2009 through present.

Respectfully Submitted,

_____

Laura Lynn Hammett
Defendant in Pro Se
16 Gold Lake Club Road
Conway, AR 72032
Bohemian_books@yahoo.com
(760) 966-6000

CERTIFICATE OF SERVICE

The First Set of Requests for Production propounded by Defendant to Plaintiff was mailed by USPS certified mail restricted delivery to:

William Z. White

P.O. Box 1087 (Postal)

Heber Springs, AR 72543

(501) 365-3934 Office

E-mail: wzwhite@wzwhite.com

On November 4, 2021

By _____

Laura Lynn Hammett

16 Gold Lake Club Road

Conway, AR 72032

Bohemian_books@yahoo.com

(760) 966-6000

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Dec-22 08:45:45
65CV-21-20
C20D01 : 19 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 1

First Set Interrogatories

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

DEFENDANT LAURA LYNN HAMMETT'S FIRST SET OF

INTERROGATORIES PROPOUNDED TO PLAINTIFF

Defendant Laura Lynn ("Hammett" or "Defendant"), in pro se, pursuant to Rule 33 of the Arkansas Rules of Civil Procedure, propounds the following Interrogatories to Plaintiff, Micheal Pietrczak - --, Walter Pietrczak, Power of Attorney-in-Fact ("Plaintiff"). Plaintiff is requested to answer under oath the interrogatories set forth

below within thirty (30) days of the date of service, and thereafter supplement such answers as and when required by all applicable rules.

I. DEFINITIONS AND INSTRUCTIONS

1. Document: The terms "document" or "documents" shall have the broadest possible meaning permitted by Arkansas Rules of Civil Procedure 26 and 34 and the relevant case law, and shall include any tangible thing upon which any expression, communication, or representation has been recorded, as well as all "writings," "recordings," and "photographs," as defined by Arkansas Rule of Evidence 1001. The term "document" or "documents" shall specifically include materials stored electronically or electromagnetically (such as electronic mail, electronic files, Internet information or postings, or any other digital data storage or transmittal) and all drafts or non-final versions, alterations, modifications, and amendments to any of the foregoing, including all summary information and associated metadata. The term "document" or "documents" shall also include all attachments and enclosures, all drafts or copies that differ in any respect from the original, and all handwritten notations or notes attached on the front or back via adhesive or the like. (If copies are made of documents with notes attached on

the front or back via adhesive, they shall be produced both with and without the attached adhesive notes.). The term "document" or "documents" should also be deemed to include the file folder (whether physical, electronic, or otherwise), labeled box, or notebook containing the document, as well as any index, table of contents, list, or summaries that serve to organize, identify, or reference the document in the ordinary course of business.

2. Electronically stored information or ESI: The terms "electronically stored information" or "ESI" shall mean any information on operational systems including accounting, financial, distribution, or manufacturing systems; E-mail; Instant Messages (IM); Web pages; text messages; cell phone data; Excel spreadsheets and underlying formulae; metadata; computer databases (i.e., Access); erased, fragmented or damaged data; Blackberry data; and anything stored on computer or other electronic means located on or in, but not limited to cache memory; optical disks; magnetic tapes/back-up tapes; magnetic disks (hard drive, floppy disks, etc.); PDAs, Blackberries and Palm Pilots; cell phones; IM tools; or USB drives.

3. Communication: The term "communication" shall mean any transmission, conveyance, or exchange of information, whether by written, oral, or other means. It includes, without limitation: any meeting, discussion, contact, conference, telephone conversation, letter, e-mail transmission, Internet posting, memorandum,

document, message, telegram, telefax, mailgram, billing statement, any electronic recording, or other form of written or oral information transmission or exchange.

4. Regarding, relating to, or concerning: The terms "regarding," "relating to," or "concerning" shall mean, without limitation: comprising, alluding to, responding to, connected with, involving, commenting on, in respect of, about, discussing, evidencing, showing, describing, reflecting, analyzing, constituting, identifying, stating, or in any way touching upon.

5. Person: The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.

6. Parties: The terms "plaintiff" and "defendant," as well as a party's full or abbreviated name or a pronoun referring to a party, shall mean the party and, where applicable, its officers, directors, employees, partners, corporate parent, subsidiaries, or affiliates. This definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.

7. State/identify with particularity: With respect to any listed topic, subject or issue, the terms "state with particularity" or "identify with particularity" shall mean, and require you to: state all facts relating to the topic, subject, or issue; identify all persons who you know or believe have knowledge or information relating to the topic, subject or issue; and all communications and documents relating to the topic, subject or issue.

8. Identify (With Respect to Persons): When referring to a person, “to identify” shall mean to give, to the extent known, the person’s full name, present or last known address, and, when referring to a natural person, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

9. Identify (With Respect to Documents): When referring to documents, “to identify” means to give, to the extent known: the type of document; general subject matter; date of the document; author(s), addressee(s) and recipient(s); whether or not there were drafts of the document prior to the final document, and if so, the identity of the custodian of those drafts and the date(s) of those drafts. In lieu of such description, you may attach appropriately identified copies of such documents to your answers to these Interrogatories.

10. You, Your, Plaintiff, and Pietrczak: The terms “you,” “your,” “Plaintiff” and shall refer to Plaintiff, Micheal Pietrczak - --, Walter Pietrczak, Power of Attorney-in-Fact, and any agents, attorneys, representatives or anyone acting on the Plaintiff’s behalf or interest.

11. Hammett: The term “Hammett” shall mean Laura Lynn Hammett, an individual, also known as Laura Lynn or Laura Hammett.

12. Complaint: The term “Complaint” refers to the Complaint and Amended Complaint filed by Plaintiff in reference to the above captioned matter and any subsequent amendments thereto.

13. The Property: The Term “the Property” shall refer to the property commonly known as 9985 Lick Fork Road, Witts Spring, AR, 72686.

14. The Trust: The term “the Trust” refers to “Rural Revival Living Trust” named as a separate defendant in the Complaint.

15. The Trustee: The term “the Trustee” refers to Laura Lynn as Trustee of the Rural Revival Living Trust.

16. Micheal Pietrczak: The term “Micheal Pietrczak” shall mean the individual also known as “Michael Pietrczak”, “Mike Pietrczak” or any other name used by the person identified in Paragraph 1 of the Complaint.

17. Walter Pietrczak: The term “Walter Pietrczak” shall mean Micheal Pietrczak’s biological father.

INSTRUCTIONS

1. Pursuant to Arkansas Rule of Civil Procedure (“Rule”) 33(b), you must serve your answers to these interrogatories within 30 days after service.

2. Each interrogatory must, to the extent it is not objected to, be answered separately and fully in writing under oath. The person who makes the answers must sign them, and the attorney who objects must sign any objections.

3. The grounds for objecting to an interrogatory must be stated with specificity. Any ground not stated in a timely objection is waived unless the court, for good cause shown, excuses the failure.

4. Information requested in these interrogatories shall include information within the knowledge or possession of any of plaintiff's agents, employees, attorneys, investigators, or any other persons, firms, or entities directly or indirectly subject to plaintiff's control in any way whatsoever.

5. Each interrogatory shall be answered in its entirety. If any interrogatory or subsection thereof cannot be answered in full, it shall be answered to the fullest extent possible with an explanation as to why a complete answer is not provided.

6. If there is a claim of privilege as to any communication concerning information requested by these interrogatories, specify the privilege claimed, the communication and/or answer to which the claim is made, the topic discussed in the communication and/or answer to which that claim is made, and the basis upon which the claim is asserted.

7. If, for reasons other than a claim of privilege, you refuse to respond to any

interrogatory herein, state the grounds upon which the refusal is based with sufficient specificity to permit a determination of the propriety of such refusal.

8. These interrogatories are continuing in nature and require supplemental or additional responses in accordance with Rule 33 of the Arkansas Rules of Civil Procedure.

INTERROGATORY NO. 1

Identify all persons with knowledge of any facts relating in any way to the allegations, averments, damages, denials, relief claimed, affirmative defenses, and defenses concerning the Complaint, the Answer or any other issue in this matter, and for each such person identified, set forth his or her name, address, and current telephone number, as well as a detailed description of each person's knowledge relating to this action.

ANSWER:

INTERROGATORY NO. 2

Identify with particularity all written and oral communications between Micheal Pietrczak and Hammett referring or relating to the allegations in the Complaint. Include in your answer whether each such communication was oral or written, a description of the substance of each communication, the date of each communication, the name of the individual(s) or representative(s) making or receiving each such communication, and the outcome of the communication.

ANSWER:

INTERROGATORY NO. 3

Identify with particularity all written and oral communications between Micheal Pietrczak and any third party relating to the allegations in the Complaint. Include in your answer whether such communication was oral or written, a description of the substance of each communication, the date of each communication, and the name of the individual(s) making or receiving each such communication.

ANSWER:

INTERROGATORY NO. 4

Do You contend that Hammett, as an individual, signed the Mortgage Agreement attached to the Complaint as Exhibit 5 ("Mortgage Agreement")?

ANSWER:

INTERROGATORY NO. 5

If Your answer to Interrogatory No. 4 is an affirmation, identify all facts or application of law to fact in support of your contention that Hammett signed the Mortgage Agreement as an individual.

ANSWER:

INTERROGATORY NO. 6

If Micheal Pietrczak has ever been arrested, charged, convicted of, or pleaded guilty to a crime, state the date of each arrest, arraignment, conviction, or plea, the court in which such was rendered, and the exact nature of such crime. In your response, identify all persons with knowledge of such response and/or the facts set forth in this response, and identify all documents which relate to or support your response to this Interrogatory.

ANSWER:

INTERROGATORY NO. 7

State with particularity any and all damages that You seek from HAMMETT in this action, including any actual, emotional or financial damages, or out-of-pocket expenses. For each measure of damages you seek, indicate whether that damage is actual, statutory, emotional, or financial, indicate the date those damages were incurred, the calculation, breakdown or computation associated with those damages, and identify all persons with knowledge of your answer and documents which support your answer.

ANSWER:

INTERROGATORY NO. 8

Identify all witnesses from whom You expect to elicit any lay or expert opinion testimony at a hearing or trial of this matter. For each witness identified, state the subject matter on which the witness is expected to testify, the substance of the facts and opinions to which the witness is expected to testify, a summary of the grounds for such opinion, and, for each expert witness, the educational background, the compensation you have provided and will provide each expert through trial, all

compensation and the source compensation received by that expert for providing expert testimony for the last five years, and work experience that qualified that person to testify as an expert witness.

ANSWER:

INTERROGATORY NO. 9

Identify all Documents that Micheal Pietrczak transmitted to Hammett or that Hammett transmitted to Micheal Pietrczak regarding the Mortgage Agreement.

ANSWER:

INTERROGATORY NO. 10

Identify all demands for payment on the Mortgage Agreement that Micheal Pietrczak made upon Hammett. For each such demand, identify the way such demand was communicated, date, person acting on behalf of Micheal Pietrczak and response received.

ANSWER:

INTERROGATORY NO. 11

Identify all demands for payment on the Mortgage Agreement that Micheal Pietrczak made upon The Trustee. For each such demand, identify the way such demand was communicated, date, person acting on behalf of Micheal Pietrczak and response received.

ANSWER:

INTERROGATORY NO. 12

Identify every time that Micheal Pietrczak received, or sought out, medical treatment (for both physical and mental conditions) since December 25, 2009. For each such incident of medical treatment, please identify the medical provider treated with, the name of the medical practice, the date of such treatment, the reason Micheal Pietrczak sought such medical treatment, and any diagnosis received.

ANSWER:

INTERROGATORY NO. 13

If you claim that Hammett's conduct caused Micheal Pietrczak physical, mental, or emotional damage, please describe all damage you attribute to Hammett, the date such damage occurred, and identify any witnesses to such damage.

ANSWER:

INTERROGATORY NO. 14

For any damage identified in interrogatory 13 that you attribute to Hammett, please state whether Micheal Pietrczak ever had the same or similar issues prior to the allegations in the Complaint, the date of such issues, the substance of such issues, and identify any witnesses to such issues.

ANSWER:

INTERROGATORY NO. 15

Identify all debts owed by Micheal Pietrczak as of December 25, 2009.

ANSWER:

INTERROGATORY NO. 16

Identify all debt incurred by Micheal Pietrczak after December 25, 2009. For each debt, state the date incurred, all payments made toward that debt, and to whom the debt was owed.

ANSWER:

INTERROGATORY NO. 17

Did Micheal Pietrczak revoke the Durable Power of Attorney to Walter Pietrczak attached to the Complaint as Exhibit 1 ("POA")?

ANSWER:

INTERROGATOTY NO. 18

If the answer to Interrogatory No. 18 is affirmative, identify the document in which the revocation was made.

INTERROGATORY NO. 19

Regarding Complaint paragraph 15, does the "repayment of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 ($150,000.00) from the Rural

Revival Living Trust to Pietrczak" imply that Micheal Pietrczak loaned $150,000 to the Rural Revival Living Trust?

ANSWER:

INTERROGATORY NO. 20:

Did Micheal Pietrczak loan $150,000 to the Trust?

ANSWER:

INTERROGATORY NO. 21:

Did Micheal Pietrczak loan $150,000 to the Trustee?

ANSWER:

INTERROGATORY NO. 22:

Did Micheal Pietrczak loan $150,000 to Hammett?

ANSWER:

INTERROGATORY NO. 23:

Identify all income to Micheal Pietrczak from December 25, 2009 until March 22, 2016. Include the date the income was produced and what goods or services were the cause of the income.

ANSWER:

INTERROGATORY NO. 24:

Identify all expenses paid to produce the income identified in Interrogatory No. 23.

ANSWER:

INTERROGATORY NO. 25:

Identify each distribution Micheal Pietrczak made as Trustee of the Laura Lynn Living Trust. Identify each distribution by date, whom received the distribution and amount of the distribution.

ANSWER:

Respectfully Submitted,

_____

Laura Lynn Hammett

Defendant in Pro Se

16 Gold Lake Club Road

Conway, AR 72032

Bohemian_books@yahoo.com

(760) 966-6000

CERTIFICATE OF SERVICE

The First Set of Interrogatories propounded by Defendant to Plaintiff was mailed by USPS certified mail restricted delivery to:

William Z. White

P.O. Box 1087 (Postal)

Heber Springs, AR 72543

(501) 365-3934 Office

E-mail: wzwhite@wzwhite.com

On November 4, 2021

By _____

Laura Lynn Hammett

16 Gold Lake Club Road

Conway, AR 72032

Bohemian_books@yahoo.com

(760) 966-6000

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

AFFIDAVIT OF LAURA LYNN HAMMETT RE: MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND ANSWER INTERROGATORIES

I, Laura Lynn Hammett, swear the following is the truth to the best of my knowledge and belief:

1. I sent the documents attached as Exhibit 1 and 2 to the mailing address on attorney White's filings and emails on November 4, 2021 by certified restricted delivery. They include First Set of Interrogatories and First Set of Request for Production.
2. Brooke Hipp, an assistant to Mr. White signed for the documents on November 15, 2021. The delivery address was changed to the White Law Firm physical address.
3. A true and correct copy of the certified receipt is attached as exhibit 3.
4. As of December 22, 2021, I did not receive a response.
5. On December 21, 2021 I sent an email to Mr. White, Brooke Hipp and Chris Butts, as Mr. White previously demanded I send copies of emails to each of his assistants, also.
6. I received an auto reply from Mr. White's email that said he would not return to the office until January 10, 2021.
7. I wrote a second email to each person in the office and called twice.
8. There was no response. The outgoing message on the office phone said the office would be closed from December 23rd until January 3rd.
9. Because the discovery was sent to the mailing address and I waited 30 days plus five for the mail, we are into the holidays. Mr. White made no effort to request an extension of time to respond to the discovery requests, and so he should be held to the procedural limits for time to respond.

December 22, 2021 /s/ Laura Lynn Hammett

Laura Lynn Hammett

CERTIFICATE OF SERVICE

I hereby certify that, on December 22, 2021 I electronically filed Motion to Compel Discovery Responses, Brief in Support and Affidavit of Laura Lynn Hammett with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

December 22, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND ANSWER INTERROGATORIES

Comes Now, Laura Lynn Hammett, and for her Motion to Compel Production of Documents and Answers to Interrogatories, states:

1. Documents attached as Exhibit 1 and 2 were mailed to the mailing address on attorney White's filings and emails on November 4, 2021 by certified restricted delivery. They include First Set of Interrogatories and First Set of Request for Production. (Aff. ¶ 1)
2. Brooke Hipp, an assistant to Mr. White signed for the documents on November 15, 2021. The delivery address was changed to the White Law Firm physical address. (Aff. ¶ 2)
3. A true and correct copy of the certified receipt is attached as exhibit 3. (Aff. ¶ 3)
4. As of December 22, 2021, Laura Lynn Hammett did not receive a response. (Aff. ¶ 4)
5. Laura Lynn Hammett reached out by email and telephone for a meet and confer, and certifies such in her affidavit attached, ¶¶ 5 to 9.
6. Defendant Laura Lynn (now Hammett) asks the Court to compel responses to the discovery requests.

Brief in Support

"The party upon whom the interrogatories have been served shall serve a copy of the answers, or objections within 30 days after the service of the interrogatories, except that a defendant must serve answers or objections within 30 days after the service of the interrogatories upon him or within 45 days after the summons and complaint have been served upon him,

whichever is longer." *Rule 33 - Interrogatories to Parties*, Ark. R. Civ. P. 33(b)(3)

"The party submitting the interrogatories may move for an order under Rule 37(a) with respect to any objection to or other failure to answer an interrogatory." *Rule 33 - Interrogatories to Parties*, Ark. R. Civ. P. 33(b)(5)

"If a deponent fails to answer a question propounded or submitted under Rules 30 or 31, or a corporation or other entity fails to make a designation under Rule 30(b)(6) or 31(a), or a party fails to answer an interrogatory submitted under Rule 33, or if a party, in response to a request for inspection submitted under Rule 34, fails to respond that inspection will be permitted as requested, or fails to permit inspection as requested, or if a party, in response to a request under Rule 35(c), fails to provide an appropriate medical authorization, the discovering party may move for an order compelling an answer, or a designation, or an order compelling inspection in accordance with the request. The motion shall include a statement that the movant has in good faith conferred or attempted to confer with the person or party failing to make the discovery in an effort to secure the information or material without court action." *Rule 37 - Failure to Make Discovery; Sanctions*, Ark. R. Civ. P. 37(a)(2)

December 22, 2021 /s/ Laura Lynn Hammett

Laura Lynn Hammett

CERTIFICATE OF SERVICE

I hereby certify that, on December 22, 2021 I electronically filed Motion to Compel Discovery Responses, Brief in Support and Affidavit of Laura Lynn Hammett with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

December 22, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
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Bohemian_books@yahoo.com

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

HAMMETT'S MOTION TO DISMISS FOR FAILURE TO NAME AND SERVE A NECESSARY PARTY

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Hammett"), in pro se, and for her Motion to Dismiss for Failure to Name and Serve a Necessary Party states as follows:

1. The Plaintiff filed the "Complaint" on April 23, 2021 naming two defendants. One defendant was named "Laura Lynn" and the other "Rural Revival Living Trust".
2. Plaintiff complained, among other things, that "Lynn has committed the unauthorized practice of law and that such matter should be referred to the Arkansas Supreme Court's Committee on the Unauthorized Practice of Law." (Complaint, ¶¶ 15, 17, 47 and 49)
3. Plaintiff then baited Hammett into committing the unauthorized practice of law by serving a summons on a trust to Hammett as an individual. Hammett advised the Plaintiff and the Court that she would not serve the trust, because she is not a licensed process server and the trustee was not named. (Hammett's Motion to Strike a Summons filed October 8, 2021)
4. The Plaintiff did not respond and the Court did not rule on that motion.
5. To date, no proof of service or return of summons was filed by the Plaintiff.
6. Plaintiff failed to perfect summons, again.
7. On October 7, 2021, Plaintiff issued a summons and had it served on "Rural Revival Living Trust c/o Laura Lynn Hammett". There was no word "Trustee" included on the summons.
8. Hammett realleges and does not waive appeal for any of her previous motions that were denied or ignored by the Court.

9. Hammett is filing this motion to dismiss because even if the Court's errant order allowing Plaintiff to issue and serve summons entered on August 19, 2021 is upheld by the Court of Appeals, Plaintiff still failed to name the Trustee of the Rural Revival Living Trust on the complaint and summons, and therefore violated Ark. R. Civ. P. Rule 19 by failing to include a necessary party and rule 4(i) by failure to serve summons properly within the 120-day extension.

10. Rather than inadvertence, Plaintiff made a decision to omit "trustee" from the summons. Hammett has pointed to the error numerous times. And Plaintiff has made threats to have Hammett incarcerated for practicing law without a license over and over again.

11. For example, in response to a motion for recusal of Judge Susan Weaver filed on September 8, 2021, Plaintiff stated: "Laura Lynn (Hammett) has a history of committing the unauthorized practice of law and it is highly likely that she is currently representing her husband in several of those matters while he claims to be a 'pro-se' litigant." This was untrue and irrelevant to recusal of the Court.

12. In a motion for mental and physical examination filed by Plaintiff on September 8, 2021, Plaintiff stated: 1) "Laura Lynn (Hammett) is not a licensed attorney." 2) "Laura Lynn (Hammett) has a history of engaging in the unauthorized practice of law." And 3) "Particularly, counsel for the Plaintiff is preparing a motion for contempt and requesting the incarceration of Laura Lynn (Hammett)."

13. Hammett cannot answer, serve, advise or in any way participate in the unauthorized practice of law on behalf of the Rural Revival Living Trust or

its trustee. Addressing the summons to Hammett as an individual may be an attempt to entrap Hammett into an unauthorized practice of law.

14. Hammett asks that the Plaintiff's claims be dismissed with prejudice.

Brief in Support

15. "*Form of Summons.* The summons shall be styled in the name of the court and issued under its seal, dated and signed by the clerk or a deputy clerk, and directed from the State of Arkansas to the defendant to be served. It shall contain:(1) in its caption, the names of the plaintiff and defendant or, if there are multiple parties, the names of the plaintiff and defendant listed first in the complaint;" *Rule 4 - Summons and Service of Process*, Ark. R. Civ. P. 4

16. "Service on a trust shall be on a trustee of the trust, on the trustee's secretary or assistant, or as provided by statute." *Rule 4 - Summons and Service of Process*, Ark. R. Civ. P. 4(f)(10)

17. "If service of process is not made on a defendant within 120 days after the filing of the complaint or within the time period established by an extension granted pursuant to paragraph (2), the action shall be dismissed as to that defendant without prejudice on motion or on the court's initiative." *Rule 4 - Summons and Service of Process*, Ark. R. Civ. P. 4(i)(1 and 2)

18. "There is no evidence to show that in filing the original complaint, [Plaintiff] intended to name the [legal fiction] or a representative of [the legal fiction]. Ayers and the estate of Ayers [as a trust and the individual who is trustee of the trust] are separate and distinct entities. Arkansas Rule of Civil Procedure 4(b) requires that the summons contain the names of the parties and be directed to the defendant. This court has consistently held that compliance with Rule 4(b) 'must be exact.' Shotzman, 363 Ark. at 227, 213

S.W.3d at 19. Without valid service of process, the circuit court never acquires jurisdiction. Id., 213 S.W.3d at 19." *Crenshaw v. Special Adm'r of Est. of Ayers*, 2011 Ark. 222, 5 (2011)

19. "There is a difference between misidentification and misnomer. When there is a variation in the party's name that would not create any confusion as to which party was being sued, but the correct party is actually served, the question is one of misnomer, not misidentification. When the name is incorrect and the correct party is not served, the issue is one of misidentification." *Kevin SHOTZMAN and Holly Shotzman Individually and as Parents and Next Friends of Jake Shotzman, A Minor, Plaintiffs, v. Mike BERUMEN et al, 2004 WL 5262831 (Ark.Cir.)*

20. "A person who is subject to service of process shall be joined as a party in the action if (1) in his absence complete relief cannot be accorded among those already parties, or, (2) he claims an interest relating to the subject of the action and is so situated that the disposition of the action in his absence may (i) as a practical matter, impair or impede his ability to protect that interest, or, (ii) leave any of the persons already parties subject to a substantial risk of incurring double, multiple or otherwise inconsistent obligations by reason of his claimed interest. If he has not been joined, the court shall order that he be made a party. If he should join as a plaintiff, but refuses to do so, he may be made a defendant; or, in a proper case, an involuntary plaintiff." *Rule 19 - Joinder of Persons Needed for Just Adjudication*, Ark. R. Civ. P. 19

21. Plaintiff has failed to join a necessary party, Laura Lynn as Trustee of the Rural Revival Living Trust, whom is referenced in Complaint paragraphs 13, 14, 15, 17, 23, 46, 47, 49 and Exhibits 5 and 6. "Under rule 41(b) the

Court may involuntarily dismiss a case where 'there has been a failure to comply with these rules or any order of the court…' Croney v. Lane, 99 Ark. App. 346, 350, 260 S.W. 3d 316, 319 (2007); see also Ark. R. Civ. P. 41(b)." Hammett v. Shelter Mutual Insurance Company, et al, 23CV-21-318, Order to Dismiss or amend granted by this Court on the same grounds, against Hammett, requiring the "Rural Revival Living Trust" to be named.

22. Plaintiff alleged Pietrczak agreed to sell the property to "Rural Revival Living Trust, Lynn acting as Trustee". (Complaint ¶ 13)

23. Plaintiff alleged "Lynn, as Trustee of the Rural Revival Living Trust" agreed to purchase the property. (Complaint ¶¶ 14, 46)

24. Plaintiff alleged "Lynn either in her individual capacity and/or as trustee of the Rural Revival Living Trust prepared the Mortgage Agreement". (Complaint ¶¶ 15, 47)

25. Plaintiff alleged "Lynn either in her individual capacity and/or as trustee of the Rural Revival Living Trust prepared a Warranty Deed". Complaint ¶¶ 17, 49.

26. Plaintiff alleged "Lynn acting Trustee of the Rural Revival Living Trust as 'Mortgagor'". Complaint ¶ 23.

27. Plaintiff refused to name the "Trustee" on a summons, even when given the impermissible extension to serve on August 19 or August 4, 2021, ¶ 11.

28. However the impermissible order was phrased, the extension ended on either December 2, 2021 or December 20, 2021.

29. Because any judgment in this case will be challenged on incorrect summons and caption, it would save the People's resources to dismiss it immediately.

30. Any refiling will be a third bite at the apple and outside the statute of limitations, therefore dismissal should be with prejudice.

Submitted December 29, 2021.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road

Conway, Arkansas 72032

(760) 966-6000

Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on December 29, 2021 I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Motion to Dismiss for Failure to Name and Serve a Necessary Party and brief within with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

December 29, 2021 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS FOR FAILURE TO NAME AND SERVE A NECESSARY PARTY

Comes now the Plaintiff, Michael Pietrczak, via the attorney, William Z. White, who in support of this Plaintiff's Response to Laura Lynn Hammett's Motion alleges as follows:

1. Plaintiff admits the allegations set forth in paragraph 1 of Defendant's Motion.

2. Plaintiff admits the allegations contained within paragraph 2.

3. Plaintiff denies the allegations set forth in paragraph 3 of Defendant's Motion.

4. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 4 of Defendant's Motion, therefore, denies same. It is unclear as to what motion Defendant is alluding to.

5. Plaintiff admits the allegations contained within paragraph 5.

6. Plaintiff denies the allegations contained within paragraph 6. Pleading affirmatively, Laura Lynn Hammett is the trustee of the Rural Revival Living Trust and service to the trust when the Bailiff of this Court served her with the Trust's summons, and other pleading(s), immediately following the last hearing in this matter.

7. Plaintiff admits the allegations contained within paragraph 7 of Defendant's Motion.

8. Plaintiff denies the allegations contained within paragraphs 8, 9, 10, and 11 of Defendant's Motion.

9. Plaintiff admits the allegations contained within paragraph 12 of Defendant's Motion.

10. Plaintiff denies the allegations contained within paragraphs 13 and 14 of Defendant's Motion.

11. Paragraphs 15, 16, 17, 18, 19, and 20 are statements of law. Therefore, a response is not required.

12. Plaintiff denies the allegations contained within paragraph 21 of Defendant's Motion.

13. Plaintiff admits the allegations contained within paragraphs 22, 23. 24, 25, and 26 of Defendant's Motion.

14. Plaintiff denies the allegations contained within paragraphs 26, 27, 28, 29, and 30 of Defendant's Motion.

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Motion to Dismiss for Failure to Name and Serve a Necessary Party; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiffs, Michael Pietrczak.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Wednesday, January 12, 22

William Z. White

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT v.**
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

REPLY TO MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND ANSWER INTERROGATORIES

Comes Now, Laura Lynn Hammett, and for her Reply to Motion to Compel Production of Documents and Answers to Interrogatories, states:

1. Hammett filed her motion to compel responses to interrogatories and requests for production of documents on December 22, 2021. The motion was served by electronic notification through use of Eflex.
2. To date, no reply was filed. Therefore, the Plaintiff has admitted and agreed with all the arguments and the motion should be granted. The Court should issue an order compelling responses to the discovery requests, and any other sanctions the Court finds just.

Brief in Support

According to Ark. R. Civ. Pro. Rule 6(a and c), the response was due on January 10, 2022. No response was filed and it is January 14, 2022.

January 14, 2022 /s/ Laura Lynn Hammett

Laura Lynn Hammett

CERTIFICATE OF SERVICE

I hereby certify that, on January 14, 2022 I electronically filed Reply to Motion to Compel Discovery Responses, Brief in Support and Affidavit of Laura Lynn Hammett with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

January 14, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK — **PLAINTIFF COUNTER DEFENDANT**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN HAMMETT — **DEFENDANTS/ COUNTER PLAINTIFF**

AFFIDAVIT OF SERVICE

I, Ezra D. Pierce, Chief Deputy, Searcy County, Arkansas Sheriff's Department and Bailiff for Searcy County, Arkansas Circuit Court, hereby state on oath that the Defendant, Rural Revival Living Trust, was duly served, pursuant to Rule 4 of the Arkansas Rules of Civil Procedure, with the Summons and Complaint for Damages personally. I served the Summons issued to Defendant Rural Revival Living Trust and the Complaint for Damages upon Laura Lynn Hammett in the courtroom of Hon. Judge Susan Weaver on October 12, 2021.

STATE OF ARKANSAS }
}ss
COUNTY OF CLEBURNE }

I, **Ezra D. Pierce, Chief Deputy, Searcy County, Arkansas Sheriff's Department**, hereby verify and affirm that the statements contained in the above Affidavit of Service, are true and correct to the best of my information and belief on the date of my signature hereto.

DATED this 14th day of January 2022.

Ezra D. Pierce, S.C.S.O.
Ezra D. Pierce, S.C.S.O. (Jan 14, 2022, 15:50 CST)

EZRA D. PIERCE, CHIEF DEPUTY
SEARCY COUNTY ARKANSAS
SHERIFF'S DEPARTMENT

ACKNOWLEDGEMENT

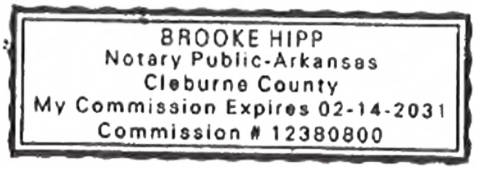
STATE OF ARKANSAS }
}ss
COUNTY OF CLEBURNE }

I, the undersigned, a Notary Public, duly commissioned and acting within and for the County and State aforesaid, do hereby certify that **Ezra D. Pierce, Chief Deputy, Searcy County, Arkansas Sheriff's Department** was duly sworn upon oath and subscribed the foregoing Affidavit of Service in my presence.

WITNESS my hand and official seal as such Notary Public on this 14th day of January 2022.



Notary Public



CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Friday, January 14, 22

/s/ William Zac White
William Z. White

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Jan-14 16:53:32
65CV-21-20
C20D01 : 3 Pages

Space Reserved for Court Filing Purposes:

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK — **PLAINTIFF COUNTER DEFENDANT**

V. — **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN HAMMETT — **DEFENDANTS/ COUNTER PLAINTIFF**

MOTION FOR DEFAULT JUDGEMENT AND DEMAND FOR DAMAGES AGAINST DEFENDANT RURAL REVIVAL LIVING TRUST

Comes now the Plaintiff, Michael Pietrczak, via attorney William Z. White, who in support of this For Default Judgement Against Defendant Rural Revival Living Trust, states and alleges as follows:

1. Pursuant to Ark. R. Civ. P. 4(f)(10), service was perfected on Defendant Rural Revival Living Trust on October 07, 2021when Defendant Rural Revival Living Trust's trustee, Laura Lynn Hammett was personally served via the Bailiff of this Court.

2. Defendant Rural Revival Living Trust has not filed a response and has failed to plead or otherwise defend the claims asserted within the Plaintiff's Complaint within thirty (30) days under Rule 12 of the Arkansas Rules of Civil Procedure.

3. In accordance with Ark. R. Civ. P. 55, Plaintiff requests that the Court enter a default judgment against the Defendant.

4. Plaintiff requests that a final hearing be held on a date set forth by the Court for the purpose of determining damages.

WHEREFORE, Michael Pietrczak respectfully requests that this Court: (1) enter its default judgment against the Defendant Rural Revival Living Trust in a sufficient sum to fully

compensate Michael Pietrczak's damages; and (2) grant Michael Pietrczak any and all other equitable, legal, and proper relief entitled whether specifically prayed for herein or not.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak.

By: 

William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ electronic mail, ☐ other delivery methods_____, and/or ☒ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Friday, January 14, 22

*/s/William Z. White*_____
William Z. White

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Jan-14 16:53:32
65CV-21-20
C20D01 : 25 Pages

Space Reserved for Court Filing Purposes:

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

MOTION TO DEEM SERVICE UPON DEFENDANT RURAL REVIVAL LIVING TRUST PERFECTED

Comes now the Plaintiff, Michael Pietrczak ("Pietrczak"), via attorney, William Z. White, who in support of this Motion to Deem Service Upon Defendant Rural Revival Living Trust ("Trust") Perfected, states and alleges as follows:

1. On August 4, 2021, the Plaintiff, Pietrczak, came before the Court via Zoom accompanied by William Z. White. Laura Lynn Hammett ("Hammett") was present before the Court via Zoom representing herself pro se.

2. Pietrczak made an oral Motion for Extension of Time to Perfect Service during the August 4, 2021, hearing, which was granted by the Court.

3. Pietrczak then filed a written Motion to Extend Time to Perfect Service on August 18, 2021. **See Attached Exhibit 1- Motion to Extend Time to Perfect Service.**

4. This Court granted an additional one hundred and twenty (120) days from August 4, 2021, the date this Court entered its oral order, for good cause shown to serve Hammett and

the Rural Revival Living Trust. **See Attached Exhibit 2- Order to Extend Time to Perfect Service**

5. The Circuit Clerk of Searcy County, Arkansas issued a summons to Trust on behalf of Pietrczak on October 7, 2021. **See Attached Exhibit 3- Summons to Trust - 65CV-21-20.**

6. The Bailiff of the Court, Chief Deputy Ezra D. Pierce, personally served the above-mentioned summons for Trust upon its trustee, Hammett, upon the conclusion of the hearing held in this matter on October 12, 2021. **See Attached Exhibit 4- Affidavit of Service**.

7. Hammett is the trustee of Trust. In 23CV-21-318, Hammett served a summons herself, individually, to herself, as trustee of Trust on October 29, 2021. **See Attached Exhibit 5- Summons to Trust 23CV-21-318.**

8. Hammett admitted in her most recent Motion to Dismiss that she was served with the summons for Trust. Paragraph 7 of Hammett's Motion to Dismiss States:

> 7. On October 7, 2021, Plaintiff issued a summons and had it served on "Rural Revival Living Trust c/o Laura Lynn Hammett". There was no word "Trustee" included on the summons.

9. Service upon Trust has been perfected pursuant to Ark. R. Civ. P. 4. (f)(10) which states,

> "Service on a trust shall be on a trustee of the trust, on the trustee's secretary or assistant, or as provided by statute."

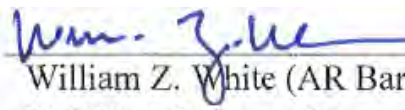
10. Service upon Trust has been perfected pursuant to Hamilton v. Bank of the Ozarks (In re Hamilton Living Trust), 2019 Ark. App. 76, in which the Arkansas Court of Appels found:

> [T]he whole purpose of the summons is to let the parties be put on notice. It is clear from the record that even on the return by the process server and by the [***4] answer that was filed in response to the summons and the complaint that the complaint was served. That the complaint does name everyone that the common sense application here is to put the party on proper notice and that was done. On the basis of whether or not "In the Matter of" is left off that would render summons invalid. I think it would be an absurd result and require some herniated stretching by the Court. . . . And I believe when you look at the return of service by the **[*4]** process server that is filed with the Court which I assume you have reviewed. It indicates [**56] everything that was attached and even the summons refers to the fact that the complaint, et cetera. So, the summons contains every reference, everything necessary, and even refers the party being served to the additional documents that are part of that particular service. For all those reasons I find that service was proper.

11. Pietrczak requests that this court enter a finding that service upon Trust was proper and that it was perfected on October 12, 2021.

12. Wherefore, Plaintiff, Michael Pietrczak, requests that this Court find deem service on Defendant Rural Revival Living Trust was proper and perfected on October 12, 2021, and for all other relief in which he is entitled.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak.

By: 

William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Friday, January 14, 22

William Z. White

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Aug-18 13:38:34
65CV-21-20
C20D01 : 4 Pages

Space Reserved for Court Filing Purposes:

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

MOTION FOR EXTENSION OF TIME TO PERFECT SERVICE AND BRIEF IN SUPPORT THEREOF

Comes now the Plaintiff, Michael Pietrczak, via attorney, William Z. White, who in support of this Motion for Extension of Time to Perfect Service and Brief in Support Thereof, states and alleges as follows:

1. On August 4, 2021, the Plaintiff, Michael Pietrczak, came before the Court via Zoom accompanied by William Z. White. Laura Lynn was present before the Court via Zoom representing herself pro se.

2. Laura Lynn initially requested a continuance of the hearing to be held on August 4, 2021.

3. Laura Lynn filed several pleadings and discovery requests in the days leading up to the hearing date.



4. Michael Pietrczak's Motion for Extension of Time to Perfect Service is brought forth pursuant to Ark. R. Civ. P. 4. (i)(2) states:

> The court, on written motion and a showing of good cause, may extend the time for service if the motion is made within 120 days of the filing of the suit or within the time period established by a previous extension. To be effective, an order granting an extension must be entered within 30 days after the motion to extend is filed, by the end of the 120-day period, or by the end of the period established by the previous extension, whichever date is later.

5. Michael Pietrczak filed his complaint on April 23, 2021. As of August 4, 2021, Michael Pietrczak had seventeen (17) days remaining pursuant to Ark. R. Civ. P. 4 to serve Laura Lynn and the Rural Revival Living Trust pursuant to Ark. R. Civ. P. 4.

6. Michael Pietrczak made an oral Motion for Extension of Time to Perfect Service during the August 4, 2021, hearing, which was granted by the Court.

7. This Motion to Extend Time to Perfect Service has been made within one hundred and twenty (120) days of the filing of his complaint.

8. Michael Pietrczak has been unable to locate Laura Lynn and/or the Rural Revival Living Trust because of their continued attempts to evade service.

9. Michael Pietrczak needs additional time to attempt to locate and serve Defendants, Laura Lynn and/or the Rural Revival Living Trust.

10. Plaintiff, Michael Pietrczak, requests this Court enter its written order confirming its oral ruling from the Bench that he be granted an additional one hundred and twenty (120) days for good cause shown to serve the Laura Lynn and the Rural Revival Living Trust.

Wherefore, Plaintiff requests that this Court extends the time in which is required to serve the Defendants and for all other relief in which he is entitled.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak.

By: _____

William "Zac" White - Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Wednesday, August 18, 21

William Z White

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2021-Aug-19 08:04:24
65CV-21-20
C20D01 : 4 Pages

Space Reserved for Court Filing Purposes:

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

ORDER TO EXTEND TIME TO PERFECT SERVICE

On the date set forth below, the Plaintiffs' Motion to Extend Time to Perfect Service came before the Court. Based upon the pleadings filed of record, statements of counsel (if any), and all other matters before it the Court finds as follows:

1. On August 4, 2021, the Plaintiff, Michael Pietrczak, came before the Court via Zoom accompanied by William Z. White. Laura Lynn was present before the Court via Zoom representing herself pro se.

2. Laura Lynn initially requested a continuance of the hearing to be held on August 4, 2021.

3. Laura Lynn filed several pleadings and discovery requests in the days leading up to the hearing date.

4. Michael Pietrczak is still within his response period to several of Laura Lynn's recently filed pleadings and discovery requests pursuant to the Ark. R. Civil Procedure.



5. Michael Pietrczak filed his complaint on April 23, 2021. As of August 4, 2021, Michael Pietrczak had seventeen (17) days remaining pursuant to Ark. R. Civ. P. 4 to serve Laura Lynn and the Rural Revival Living Trust pursuant to Ark. R. Civ. P. 4.

6. Michael Pietrczak made an oral Motion for Extension of Time to Perfect Service during the August 4, 2021, hearing, which was granted by this Court.

7. Michael Pietrczak's written and oral Motions to Extend Time to Perfect Service were made within one hundred and twenty (120) days of the filing of his complaint.

8. Michael Pietrczak has been unable to locate Laura Lynn and/or the Rural Revival Living Trust.

9. Michael Pietrczak needs additional time to attempt to locate and serve Defendants, Laura Lynn and/or the Rural Revival Living Trust.

10. This Court hereby confirms its oral ruling from the Bench.

11. Pursuant to Ark. R. Civ. P. 4. (i)(2), Michael Pietrczak is granted an additional one hundred and twenty (120) days from August 4, 2021, the date this Court entered its oral order, for good cause shown to serve the Laura Lynn and the Rural Revival Living Trust.

IT IS SO ORDERED

HONORABLE JUDGE SUSAN WEAVER
VAN BUREN COUNTY CIRCUIT JUDGE

DATE

Prepared and Approved by:

/s/ William Z. White

William "Zac" White - Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com

Arkansas Judiciary

Case Title: MICHAEL PEITRCZAK V RURAL LIVING TRUST ETAL.

Case Number: 65CV-21-20

Type: ORDER EXTENSION OF TIME

So Ordered



JUDGE SUSAN K. WEAVER

Electronically signed by SKWEAVER on 2021-08-19 08:04:33 page 4 of 4

IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN **DEFENDANT**

SUMMONS

THE STATE OF ARKANSAS TO DEFENDANT:

Rural Revival Living Trust
c/o Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032

A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it) - or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas - you must file with the clerk of this court a written answer to the complaint or a motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiffs attorney, whose name and address are: William Z. White, 706 W. Quitman St., Heber Springs, AR 72543.

If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.

Additional Notices:

1. Complaint and Demand for Jury Trial.

CLERK OF COURT

Address of Clerk's Office:
DEBBIE LOGGINS, CIRCUIT CLERK
CIRCUIT COURT OF SEARCY COUNTY
PO BOX 998
MARSHALL, AR 72650

[Signature of Clerk or Deputy Clerk]

Date:_____



This summons is for Rural Revival Living Trust.

PROOF OF SERVICE

□ I personally delivered the summons and complaint to the individual at _____ _____[place] on _____ [date]; or

□ I left the summons and complaint in the proximity of the individual by _____ _____ after he/she refused to receive it when I offered it to him/her; or

□ I left the summons and complaint at the individual's dwelling house or usual place of abode at _____[address] with _____[name], a person at least 14 years of age who resides there, on _____[date]; or

□ I delivered the summons and complaint to _____[name of individual], an agent authorized by appointment or by law to receive service of summons on behalf of _____[name of defendant] on _____[date]; or

□ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I served the summons and complaint on the defendant by certified mail, return receipt requested, restricted delivery, as shown by the attached signed return receipt.

□ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I mailed a copy of the summons and complaint by first-class mail to the defendant together with two copies of a notice and acknowledgment and received the attached notice and acknowledgment form within twenty days after the date of mailing.

□ Other [specify]: _____ I was unable to execute service because: _____

My fee is $ ____.

To be completed if service is by a sheriff or deputy sheriff:

Date: _____ SHERIFF OF _____ COUNTY, ARKANSAS

By: _____
[Signature of server]

_____
[Printed name, title, and badge number]

To be completed if service is by a person other than a sheriff or deputy sheriff:

Date: _____ By: _____
[Signature of server]

_____
[Printed name]

Address: _____

_____

Phone: _____

Subscribed and sworn to before me this date: _____

_____
Notary Public

My commission expires: _____

Additional information regarding service or attempted service:

_____

_____

Arkansas Judiciary

Case Title: MICHAEL PEITRCZAK V RURAL LIVING TRUST ETAL.

Case Number: 65CV-21-20

Type: SUMMONS - FILER PREPARED

So Ordered

Michelle Loggins

Michelle Loggins, Searcy County
Deputy Clerk

Electronically signed by MRLOGGINS on 2021-10-07 12:32:43 page 4 of 4

Space Reserved for Court Filing Purposes:

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK — **PLAINTIFF COUNTER DEFENDANT**

V. — **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN HAMMETT — **DEFENDANTS/ COUNTER PLAINTIFF**

AFFIDAVIT OF SERVICE

I, Ezra D. Pierce, Chief Deputy, Searcy County, Arkansas Sheriff's Department and Bailiff for Searcy County, Arkansas Circuit Court, hereby state on oath that the Defendant, Rural Revival Living Trust, was duly served, pursuant to Rule 4 of the Arkansas Rules of Civil Procedure, with the Summons and Complaint for Damages personally. I served the Summons issued to Defendant Rural Revival Living Trust and the Complaint for Damages upon Laura Lynn Hammett in the courtroom of Hon. Judge Susan Weaver on October 12, 2021.

STATE OF ARKANSAS }
}ss
COUNTY OF CLEBURNE }

I, **Ezra D. Pierce, Chief Deputy, Searcy County, Arkansas Sheriff's Department**, hereby verify and affirm that the statements contained in the above Affidavit of Service, are true and correct to the best of my information and belief on the date of my signature hereto.

DATED this 14th day of January 2022.

Ezra D. Pierce, S.C.S.O.
Ezra D. Pierce, S.C.S.O. (Jan 14, 2022, 15:50 CST)

EZRA D. PIERCE, CHIEF DEPUTY
SEARCY COUNTY ARKANSAS
SHERIFF'S DEPARTMENT



ACKNOWLEDGEMENT

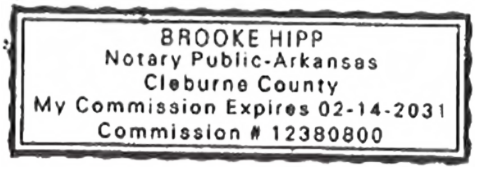
STATE OF ARKANSAS }
}ss
COUNTY OF CLEBURNE }

I, the undersigned, a Notary Public, duly commissioned and acting within and for the County and State aforesaid, do hereby certify that **Ezra D. Pierce, Chief Deputy, Searcy County, Arkansas Sheriff's Department** was duly sworn upon oath and subscribed the foregoing Affidavit of Service in my presence.

WITNESS my hand and official seal as such Notary Public on this 14th day of January 2022.



Notary Public



CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Friday, January 14, 22

/s/ William Zac White
William Z. White

ELECTRONICALLY FILED
Faulkner County Circuit Court
Crystal Taylor, Circuit Clerk
2021-Oct-31 11:42:54
23CV-21-318
C20D01 : 6 Pages

THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION [Civil, Probate, etc.]

LAURA LYNN HAMMETT, an individual
Plaintiff

v. No. 23CV-21-318

SHELTER MUTUAL INSURANCE COMPANY; JEFF JENNINGS INSURANCE AGENCY, INC.; LAURA LYNN HAMMETT as TRUSTEE of the RURAL REVIVAL LIVING TRUST
Defendants

SUMMONS

THE STATE OF ARKANSAS TO DEFENDANT:

LAURA LYNN HAMMETT as TRUSTEE of the RURAL REVIVAL LIVING TRUST [Defendant's name and address.]

500 Amity Road Suite 5B #306
Conway, Arkansas 72032

A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it) — or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas — you must file with the clerk of this court a written answer to the complaint or a motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiff's attorney, whose name and address are: Laura Lynn Hammett, 16 Gold Lake Club Road, Conway, Arkansas 72032
If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.



Additional Notices Included: _____

CLERK OF COURT

Address of Clerk's Office

_____ _____

[Signature of Clerk or Deputy Clerk]

_____ Date: _____

[SEAL]

No. _____ This summons is for _____ (*name of Defendant*).

PROOF OF SERVICE

☐ On _____ [date] I personally delivered the summons and complaint to the defendant at _____ [place]; or

☐ After making my purpose to deliver the summons and complaint clear, on _____ [date] I left the summons and complaint in the close proximity of the defendant by _____ [describe how the summons and complaint was left] after he/she refused to receive it when I offered it to him/her; or

☐ On _____ [date] I left the summons and complaint with _____, a member of the defendant's family at least 18 years of age, at _____ [address], a place where the defendant resides; or

☐ On_____ [date] I delivered the summons and complaint to _____ [name of individual], an agent authorized by appointment or by law to receive service of summons on behalf of _____ [name of defendant]; or

☐ On _____ [date] at _____ [address], where the defendant maintains an office or other fixed location for the conduct of business, during normal working hours I left the summons and complaint with

Arkansas Judiciary

Case Title: LAURA LYNN HAMMETT V SHELTER MUTUAL INS CO, ET AL

Case Number: 23CV-21-318

Type: SUMMONS - FILER PREPARED

So Ordered

B Donohue

B. Donohue

Electronically signed by RADONOHUE on 2021-10-12 08:46:50 page 6 of 6

[name and job description]; or

☒ I am the plaintiff or an attorney of record for the plaintiff in a lawsuit, and I served the summons and complaint on the defendant by certified mail, return receipt requested, restricted delivery, as shown by the attached signed return receipt.

☐ I am the plaintiff or attorney of record for the plaintiff in this lawsuit, and I mailed a copy of the summons and complaint by first-class mail to the defendant together with two copies of a notice and acknowledgment and received the attached notice and acknowledgment form within twenty days after the date of mailing.

☐ Other [specify]:

☐ I was unable to execute service because:

My fee is $ ✓.

To be completed if service is by a sheriff or deputy sheriff:

Date: _____ SHERIFF OF _____ COUNTY, ARKANSAS

By: _____
[signature of server]

_____
[printed name, title, and badge number]

To be completed if service is by a person other than a sheriff or deputy sheriff:

Date: [illegible]

By: [illegible]
[signature of server]

[illegible]
[printed name]

Address: [illegible]

Phone: [illegible]

Subscribed and sworn to before me this date: 10/29/2021

Notary Public [signature]

My Commission Expires: February 9, 2025

JOHN MCGRAW
[illegible]

Additional information regarding service or attempted service:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Laura Lynn Hammett as Trustee of the Rural Revival Living Trust
500 Amity Road Suite 5B #306
Conway, Arkansas 72032

9590 9402 6598 1028 1311 27

2. [illegible] 7021 0350 0001 5756 9041

COMPLETE THIS SECTION ON DELIVERY

A. Signature
x APLM234 ☒ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery 10/24/2021

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☒ ~~Adult Signature~~
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☒ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT v.**
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

REPLY TO MOTION TO DISMISS FOR FAILURE TO NAME AND SERVE A NECESSARY PARTY; BRIEF IN SUPPORT

Comes Now, Laura Lynn Hammett, an individual, and for her Reply to Motion to Dismiss for Failure to Name and Serve a Necessary Party ("Motion"), states:

1. Hammett renews all objections made previously in these proceedings and reserves her right to appeal based on any or all of those objections.
2. Plaintiff filed a response to the Motion on January 12, 2022 ("Response").
3. The Response is devoid of legal argument.
4. Plaintiff responded paragraph for paragraph, admitting or denying facts without legal support as is usually seen in responses to pleadings, but not in a response to a motion, which requires legal authority be briefed.
5. Hammett will address each factual denial in order. First though, we will skip to Response ¶ 11, which states in full: "Paragraphs 15, 16, 17, 18, 19, and 20 are statements of law. Therefore, a response is not required."
6. The cited paragraphs are the first five paragraphs of the brief in support of the Motion. They are all legal arguments that apply law to the facts of this case. By refraining from disputing Hammett's legal theories, the Plaintiff has waived his objections.
7. Plaintiff denied Motion ¶ 3 completely. The summons served by Chief Deputy Pierce on October 7, 2021 is directed "c/o Laura Lynn Hammett", not to "Laura Lynn Hammett as trustee of the Rural Revival Living Trust".
8. Hammett filed Hammett's Motion to Strike a Summons, Find Complaint Void for Improper Caption and Summons and a More Definite Statement filed October 8, 2021 (referred to throughout the remainder of this reply as "Oct. 8 Mtn"). Hammett refers to the Docket entry on October 8, 2021 and incorporates the motion here as if reproduced verbatim.
9. The Oct. 8 Mtn says Hammett would not serve the trust (¶ 16 and in general), she is not a licensed process server (¶ 16), and the trustee was not named (¶¶ 5, 15). Plaintiff's denial is false.

10. Plaintiff denied Motion ¶ 4 which says in full: "The Plaintiff did not respond and the Court did not rule on that motion". Plaintiff feigned confusion about to which motion Hammett referred. The previous paragraph cites "Hammett's Motion to Strike a Summons filed October 8, 2021" at the end. Plaintiff would like the trial court and the appellate court to believe he did not understand the sentence in context with the preceding sentence referred to the Oct. 8 Mtn.
11. Regardless of whether Plaintiff understood the paragraph or not, the paragraph is true. The Plaintiff did not respond and the Court did not rule on the Oct. 8 Mtn.
12. The Motion filed December 29, 2021 reiterated arguments made in the Oct. 8 Mtn, but was filed in lieu of a motion for reconsideration because the Court had not ruled on the Oct. 8 Mtn and there was a new pertinent fact. If the order extending time to serve entered on August 19, 2021 holds up on appeal, then the absolute latest date the summons could be served effectively is December 20, 2021. That date came and went. Still no summons served on the "trustee".
13. Even after the Oct. 8 Mtn was served on Plaintiff's attorney, he refused to serve a summons on the trustee of the Rural Revival Living Trust. A competent attorney would have either issued and served a summons naming the necessary party, or at least responded to the Oct. 8 Mtn with arguments contradicting Hammett's.
14. It is odd that Plaintiff caused the summons to be served, albeit on the wrong party, in person by the Chief Deputy of the Searcy County Sheriff's Department, when mailing certified works just as well. Hammett is not challenging that a summons was served on October 7, 2021, only that the

summons served named one party, Laura Lynn Hammett an individual, instead of the party who had not appeared, Laura Lynn Hammett trustee of the Rural Revival Living Trust.

15. Plaintiff's attorney in this case, 65CV-21-20, filed a practically identical complaint in 2018, 65CV-18-8. It was dismissed. 65CV-18-8 Plaintiff's attorney issued four separate summonses on January 16, 2018, and none had the word "trustee".

16. Response paragraph 6 is incomprehensible.

17. Hammett understands the first clause, "Laura Lynn Hammett is the trustee of the Rural Revival Living Trust".

18. Hammett does not understand the second clause, the part after "and". Using "Laura Lynn Hammett" as the subject, the second clause is, "Laura Lynn Hammett service to the trust when the Bailiff of this Court served her with the Trust's summons, and other pleading(s), immediately following the last hearing in this matter."

19. If Plaintiff was a pro se litigant, the Court should overlook some grammatically incorrect sentences and try to find the meaning. But Plaintiff's attorney is a licensed attorney. He feigned non-comprehension of Motion ¶ 4, which had correct sentence structure. It is plausible that no matter what meaning Hammett gives to his incomprehensible sentence, Plaintiff's counsel will claim that is not the meaning.

20. For example, Plaintiff might assume the words "did not receive" were missing before "service", ie, "Laura Lynn Hammett *did not receive* service to the trust when the Bailiff of this Court served her with the Trust's summons, and other pleading(s), immediately following the last hearing in this matter."

21. Plaintiff's counsel hopes the Court will assume the missing word to be "received", "Laura Lynn Hammett *received* service to the trust when the Bailiff of this Court served her with the Trust's summons, and other pleading(s), immediately following the last hearing in this matter." That way when Hammett complains to the Committee on Professional Conduct about Mr. White lying, he can claim that he left out the words "did not receive" and the Court misunderstood him to mean "received".
22. By adding "did not receive" or "received" the sentence becomes comprehensible. But only adding "did not receive" makes the sentence true.
23. Laura Lynn Hammett received service to herself as an individual when the Bailiff of this Court served her with the summons that is devoid of the word "trustee", and other pleading(s), immediately following the last hearing in this matter. No summons with the complaint in Searcy County Circuit Court Case No. 65CV-21-20 was served on Hammett in any capacity prior to October 7, 2021.
24. Contrary to Plaintiff's counsel's characterization of Hammett "dodging service" as per his motion for extension of time to serve the trust filed August 18, 2021 and his arguments at the "final hearing" held August 4, 2021 (some transcribed, some not transcribed), Hammett found the complaint online in June 2021 when she was looking up the previous, almost identical complaint that was dismissed May 1, 2020, case number 65CV-18-8. Hammett in her individual capacity responded with an answer and counterclaim a few days later.
25. The service on October 7, 2021 was the first summons received by Hammett for this case and she believed it was addressed to her as an

individual. Hammett filed her Oct. 8 Mtn the next day, giving notice that a correction was needed.

26. Plaintiff chose not to correct Hammett's arguments or correct the summons until after the second 120 days after filing the complaint, well over 240 days after filing the complaint.

27. Plaintiff admitted "there was no word 'Trustee' included on the summons." (Response ¶ 7)

28. Plaintiff denied Motion paragraph 8 in which Hammett preserved her right to appeal all of her previous motions. So, Plaintiff is claiming Hammett is not allowed to reallege her objections.

29. Plaintiff denied Motion paragraph 9 in which Hammett claimed her reason for filing the motion. Plaintiff does not know what Hammett is thinking, and therefore cannot deny what Hammett says her thoughts are. But Plaintiff's counsel did not write that Plaintiff did not have enough information to confirm or deny, and therefore denies.

30. If Plaintiff was denying that Plaintiff's thoughts were correct, then he violated ARCP Rule 11 again. Plaintiff admitted he did not write "trustee" on the summons. The caption of the complaint does not name the "trustee". The trustee is a necessary party because the copy of the mortgage agreement Plaintiff filed as an exhibit to the complaint was signed by Hammett only as Trustee and not as an individual. And, the summons was not served properly on the Rural Revival Living Trust because it did not name the trustee.

31. Plaintiff denied Motion paragraph 10. This is another violation of ARCP Rule 11. Plaintiff cannot claim inadvertence, as Hammett pointed out the incorrect caption during the hearing of August 4, 2021, the Oct. 8 Mtn and several other times. Plaintiff threatened having Hammett incarcerated

repeatedly in the complaint and by email. One sample quote was given in Motion paragraph 11.

32. Plaintiff denied Motion paragraph 11.

33. Then Plaintiff admitted the quote in Motion paragraph 12, which was a threat of incarceration and a complaint that Hammett practiced law unauthorized. His responses to Paragraphs 11 and 12 are inconsistent.

34. Plaintiff denied Motion paragraph 13. The first sentence of Motion paragraph 13 states: "Hammett cannot answer, serve, advise or in any way participate in the unauthorized practice of law on behalf of the Rural Revival Living Trust or its trustee". After complaining ad nauseum about Hammett practicing law unauthorized, Plaintiff denied the quote above.

35. The second sentence of Motion paragraph 13 gives one possible reason for Plaintiff's strange refusal to write "trustee" in the caption or on the summons. Restated, the trust has only one asset, the Lick Fork Property that was purchased with Hammett's money but put in Pietrczak's name then gifted to the Rural Revival Living Trust. On the other hand, Hammett in her individual capacity had over a million dollars more than that in 2016. Hammett used or lost that money, mostly since the Pandemic. But Hammett is supposed to inherit from her father's by-pass trust and is plaintiff in lawsuits that are viable if the judge presiding is fair. The Rural Revival Living Trust is receiving no more money from Hammett. So, attorney White is trying to have the Court give him a judgment against Hammett as an individual nstead of as trustee of the Rural Revival Living Trust.

36. Plaintiff gave no alternative theory.

37. If there is a less nefarious reason for omitting the word "trustee" Plaintiff should have enlightened the Court and the other parties.

38. Plaintiff denied Motion paragraph 14, that states in full: "Hammett asks that the Plaintiff's claims be dismissed with prejudice." Hammett knows what she is asking. Plaintiff wants the Court to deny Hammett's request, but offered no legal authority in opposition to Hammett's brief in support of the Motion, the Oct. 8 Mtn, the same arguments made by Hammett's attorney in 65CV-18-8.

39. Plaintiff's attorney William Zac White has tried to steal money an old woman put in trust in two cases in which he represents Richard G. Gawenis. This Court presided over the two cases. One is on appeal. One is open. At first the Court revoked the Zelda Walls Living Trust despite the lack of service of summons on the trustee. The trustee's attorney was able to have the trust reinstated. This Court must not allow Mr. White to continue transferring wealth to himself and his clients without serving a proper summons on all necessary parties.

Brief in Support

Plaintiff, by failing to make legal argument contradicting the briefs in support of this Motion and the Oct. 8 Mtn has waived all argument.

To reiterate Defendant's arguments, Ark. R. Civ. P. Rule 19 requires the Plaintiff to name and serve summons on all necessary parties.

Laura Lynn Hammett as Trustee of the Rural Revival Living Trust is a necessary party because the title to the Lick Fork Property is held by the trustee of a trust and not by an individual. The purported mortgage, which should be marked void in the margin in the County records, was signed by Hammett "as trustee". The mortgage was not signed or guaranteed by Hammett as an individual.

"Service of valid process is necessary to give a court jurisdiction over a defendant. Rules Civ.Proc., Rule 4(i)." *Raymond v. Raymond*, 343 Ark. 480, 36 S.W.3d 733 (2001)

"Summons is necessary to satisfy due process requirements. U.S.C.A. Const.Amend. 14; Rules Civ.Proc., Rule 4(i)." id.

"Statutory service requirements, being in derogation of common-law rights, must be strictly construed and compliance with them must be exact. Rules Civ.Proc., Rule 4(i)." id.

"Chancellor's decree awarding former husband a divorce was void, where former wife was never served with a copy of former husband's complaint or summons, and former husband did not file a motion to extend the time or obtain a waiver and entry of appearance whereby former wife waived service of summons or process. Rules Civ.Proc., Rule 4(i)." id. In the case at bar, the Court gave the Plaintiff an impermissible extension of time to serve the Rural Revival Living Trust. Hammett in her individual capacity objected to proceeding without proper service on all necessary parties, namely the Trustee of the Rural Revival Living Trust. It was no ambush by Hammett. There was no dodging service. Plaintiff chose to omit the trustee, probably because the trust has limited assets and the Plaintiff perceives the individual Hammett as having deep pockets.

This Court dismissed Hammett v. Shelter Mutual Insurance Company, et al, 23CV-21-318, Order entered September 21, 2021 for lack of naming the Rural Revival Living Trust.

If the Court maintains that the extension was valid and that it is somehow acceptable to leave the word "trustee" off the summons and caption, the

Court should play back the tape of the hearing of August 4, 2021 in open court to settle the record. (see pending motion filed August 29, 2021)

The Court was in err to extend the time for service of summons, and even with the impermissible extension, the Plaintiff refused to name and serve the Trustee of the Rural Revival Living Trust.

January 18, 2022 /s/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on January 18, 2022 I electronically filed Reply to Motion to Dismiss for Failure to Name and Serve a Necessary Party, Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

January 18, 2022 /S/ Laura Lynn Hammett

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LAURA LYNN HAMMETT	**COUNTER-CLAIMANT v.**
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

LAURA LYNN HAMMETT AN INDIVIDUAL'S RESPONSE TO MOTION TO DEEM SERVICE UPON DEFENDANT RURAL REVIVAL LIVING TRUST PERFECTED AND EMBEDDED BRIEF

Comes Now, Laura Lynn Hammett, an individual ("Hammett"), and for her Response to Motion to Deem Service Upon Defendant Rural Revival Living Trust Perfected, states:

1. A Motion to Deem Service Upon Defendant Rural Revival Living Trust Perfected was filed by Attorney William Z. White on January 14, 2022, Called herein "Pietrczak Motion".

2. Though filed at "16:53:32" on January 14, 2022, the clerk did not accept and therefore notify Hammett of the Pietrczak Motion until 7:49 AM on January 17, 2022.

3. Prior to January 14, 2022, Hammett filed several motions that addressed the issues addressed in the Pietrczak Motion that went undecided by the Court and one went unanswered by the Plaintiff completely.

4. The most recent of Hammett's motions regarding the same issues presented in the Pietrczak Motion are Hammett's Motion to Strike a Summons, Find Complaint Void for Improper Caption and Summons and a More Definite Statement filed October 8, 2021, called "Oct. 8 Mtn", and Hammett's Motion to Dismiss for Failure to Name and Serve a Necessary Party filed December 29, 2021, Called "Dec. 29 Mtn".

5. Hammett has a pending motion for the recusal of Judge Susan Kaye Weaver filed September 27, 2021 and supplemented September 28, 2021. (This is a motion

for reconsideration, the original motion to recuse denied on September 24, 2021.) Hammett realleges that it is not proper for the Hon. Susan Kaye Weaver to preside, because of Canon 2 of the Arkansas Code of Judicial Conduct, 2.11(A)(1) and *Matter of Est. of Edens*, 2018 Ark. App. 226, 19, 548 S.W.3d 179, 190–91 (2018).

6. Additionally, the fact that the Pietrczak Motion was posted and thereby served at 7:49 AM on Martin Luther King Day, a state and federal holiday, adds to the appearance that the Court is favoring Mr. White and trying to allow Mr. White's client to prevail on a technicality, rather than reaching a jury verdict on the merits.

7. Both the file stamp and the certificate of service of the Pietrczak Motion show a date that would allow one less day for Hammett's response than the day of notification and service.

8. Rather than being challenged to produce evidence of the disputed date, and convincing the Court to reconsider her decision, Hammett is filing her response early.

9. Hammett claims all rulings made by a judge who has an appearance of bias, after the bias is claimed by the litigant in a motion for recusal, are a violation of the aggrieved litigant's Constitutional Right to due process and equal protection under the fifth and fourteenth amendments.

10. Hammett has a pending motion for Summary Judgment filed August 27, 2021 ("MSJ Aug. 27").

11. Hammett argued that Mr. White filed the complaint on behalf of "Walter Pietrczak, Power of Attorney-in-Fact [f]or Plaintiff, via attorney, William Z. White" and that requests for admission signed on behalf of "Michael (sic) Pietrczak" denied that Walter Pietrczak had a power of attorney when complaint was filed. (MSJ Aug. 27)

12. In the Pietrczak Motion, Mr. White states he filed "on behalf of the Plaintiff, Michael (sic) Pietrczak". There was no motion to substitute the plaintiff. Such a motion, if made, must be denied.

13. "The Rule of Civil Procedure on relation back of amendments to pleadings, which is expressly written in terms of amendments or changes to the party against whom a claim is asserted, does not apply to allow amendments or changes to plaintiffs as well. Rules Civ.Proc., Rule 15(c)." *Bryant v. Hendrix*, 375 Ark. 200, 289 S.W.3d 402 (2008)[1]

14. "Where an action is brought in the name of a non-existing plaintiff, an amendment of complaint by substituting the proper party to the action as plaintiff

[1] The Bryant case illustrates how a person named as an individual and a trustee must be listed twice in the caption.

will be regarded as the institution of a new action as regards the statute of limitations." Id.

15. "[A]ccording to *Rhuland [v. Fahr, 356 Ark. 382, 155 S.W.3d 2 (2004)],* whenever an amendment to a complaint substitutes a new plaintiff, such amendment is a new cause of action and does not relate back to the original complaint." Id.

16. Hammett has already argued that the Complaint should be dismissed on statute of limitations and was ignored by the Court. Any amendment that does not relate back exceeds the statute of limitations by over a year.

17. Micheal Pietrczak's attempt to adopt the complaint that was filed on behalf of his supposed power of attorney is an admission by Micheal Pietrczak that he committed fraud on Laura Lynn Hammett.

18. Some of the evidence of fraud was presented at the hearing of October 7, 2021 by testimony under penalty of perjury by Laura Lynn Hammett that went unrebutted.

19. Hammett was willing to give Pietrczak half the value of the property when they parted, but she was not aware of how calculated his fraud was until he started lending his name to this lawsuit by allowing Mr. White to change plaintiff from Walter Pietrczak as POA [f]or Micheal Pietrczak to Micheal Pietrczak.

20. Attorney White should be foreclosed from writing "on behalf of Micheal Pietrczak" instead of "Walter Pietrczak as Power of Attorney…" and the Complaint should be dismissed as per the MSJ Aug. 27. (A.C.A. § 16-62-102 and *McKibben v. Mullis*, 79 Ark. App. 382, 90 S.W.3d 442 (2002))

21. This would render the Pietrczak Motion moot.

22. The entire Pietrczak Motion should be denied as it is an impermissible attempt to add arguments in responses to the Oct. 8 Mtn and the Dec. 29 Mtn.

23. On August 20, 2021 the Court filed a letter dated August 19, 2021 ("Aug. 19 Letter")

24. The Court stated: "Consider this letter a friendly but stern warning that this court fully expects all parties to comply with the Arkansas Rules of Civil Procedure and the Arkansas Rules of Evidence during this case." (Aug. 19 Letter)

25. The Court also stated, referring to the oral motion for extension of time to serve summonses: "It has been over 10 days since the oral motion was made and to date, Defendant failed to file any motion or response opposing the oral motion to extend." (Aug. 19 Letter)[2]

[2] Hammett objected to the oral motion during the hearing and heard the Court say the AOC told her that the oral motion must be made in writing and Hammett would have 10 days to respond to the written motion, which is consistent with the A.R.C.P. The Court Reporter, Jana Perry, and Judge Susan Weaver would have the Court of Appeals believe that Judge Weaver made an erroneous ruling from the bench and Hammett let it slide.

26. In the lawsuit under 42 USC 1983 Hammett filed against Judge Susan Kaye Weaver as an individual, 4:21-cv-00857-BRW, dismissed pursuant to Rooker-Feldman, etc., Judge Weaver stated: (on brief Document 4, page 2)

"[Hammett] then claims that the Judge granted the motion [for extension of time to serve summons on the Rural Revival Living Trust], finding that 10 days had passed since Mr. White filed the written motion and Plaintiff had not responded."

27. Hammett has never said there were 10 days between when the written motion was filed and the order was issued. It was one day.

28. It would be a violation of Hammett's Constitutional Right to due process and equal protection to allow Plaintiff to introduce arguments against the Oct. 8 Mtn and the Dec. 29 Mtn by filing his own motion belatedly.

29. Should the Court be allowed to preside in spite of the appearance of favoritism toward Mr. White and whoever he represents, the Pietrczak Motion must fail anyhow.

30. Pietrczak Motion ¶ 2 states: "Pietrczak made an oral Motion for Extension of Time to Perfect Service during the August 4, 2021, hearing, which was granted by the Court."

31. Hammett has a pending motion to settle the record filed August 29, 2021, in which she stated that the transcript of the hearing of August 4, 2021 is significantly inaccurate.

32. The main inaccuracy concerns the oral motion for extension of time to serve a summons. During the hearing Judge Weaver left the bench. When she returned, she said the "AOC" told her that the motion to extend must be in writing and that Hammett must have an opportunity to respond in writing, which is consistent with ARCP Rule 4(i)(2). The court reporter deleted part of that exchange and inserted a statement that Plaintiff did not hear.

33. If the unheard statement was made, it would be legal error. The Court is supporting Mr. White's contention that the Court said she would grant the oral motion, though she does not "normally".

34. Hammett wrote a letter and a motion on August 5, 2021 asking the Court to put the order made at the hearing of August 4, 2021 in writing.

35. The Court did not put the supposed orders made on August 4, 2021 in writing, except a few words on the docket: "Final Hearing Continued".

36. Mr. White did not file and serve a written motion for extension of time to serve until August 18, 2021.

37. The Court signed the order for extension of time one day later. This denied Hammett the time to respond dictated by A.R.C.P. Rule 6.

38. It is important to read the entire letter and motion filed August 5, 2021. Hammett painstakingly asked for clarification of the order for continuance which was just a few words on the docket but does not mention the order for an extension of time to serve. This is because in Hammett's academically gifted mind, there was no memory of a motion for extension of time to serve being granted in the hearing of August 4, 2021.

39. Hammett distintly remembers the Court repeating the AOC's correct admonition of A.R.C.P. Rule 4(i).

40. This Court is required to settle the record in regard to the hearing of August 4, 2021 before granting this Pietrczak Motion. (ARAP 6(e), *Craig v. State*, 64 Ark. App. 281, 282, 983 S.W.2d 440, 441–42 (1998))

41. Pietrczak Motion Exhibit 1 is the Motion to Extend Time to Perfect Service. Hammett draws attention to paragraph 8. "Michael Pietrczak has been unable to locate Laura Lynn and/or the Rural Revival Living Trust **because of their continued attempts to evade service.**" Bold added.

42. There was only one summons total issued for both defendants as of August 4, 2021.

43. No attempt at service was made prior to Hammett finding the complaint and responding without being served.

44. The Plaintiff was hoping the Court and the appellate Court would agree with him in the face of glaring evidence to the contrary.

45. To her credit, this Court told Mr. White to remove "**because of their continued attempts to evade service"** before she granted his written motion.

46. Still, it was an abuse of discretion to find "good cause" shown for the failure to issue summons to the Rural Revival Living Trust and Hammett.

47. "[Plaintiff] did not make a diligent inquiry into [defendant's] whereabouts and therefore did not satisfy rule permitting service of process by warning order issued by the clerk [an accommodation similar to the extension of time to serve], thus rendering default judgment entered against seller void, in action for damages []." *Scott v. Wolfe*, 2011 Ark. App. 438, 384 S.W.3d 609 (2011)

48. "Judgments by default rendered without valid service are judgments rendered without jurisdiction and are therefore void." Id.

49. Pietrczak Motion Exhibit 2 is the Order Granting Extension of Time to Perfect Service. The Court granted the extension "to serve the (sic) Laura Lynn and the Rural Revival Living Trust" (P 11).

50. When one person is a party to a lawsuit in two capacities, two summonses must issue.

51. The one summons served improperly on October 7, 2021 was directed at "Rural Revival Living Trust" and "c/o Laura Lynn Hammett".

52. Because Hammett was named as an individual and should have been named as "trustee", she was confused about which defendant this one summons was directed toward. Hammett explained this in the Oct. 8 Mtn, which is incorporated by reference here as if set forth in full verbatim.

53. The Court, in her usual appearance of bias, failed to clarify which party was served.

54. Mr. White did not respond to the Oct. 8 Mtn to clarify whether the summons was issued to the individual or the trust.

55. Mr. White, who claims that he believed he had until December to perfect service, did not amend the summons to say "trustee" and send by certified mail to the address the Lick Fork property taxes were mailed to or the address Hammett repeated in open court on August 4, 2021.

56. As explained in the Oct. 8 Mtn and not rebutted, Mr. White probably intended to have Hammett incarcerated for violating the rule that one must be licensed to serve

process and licensed to practice law. If he could convince Hammett to serve the summons on the trust, he could gleefully have her arrested.

57. In both the motion and order for extension of time to serve, paragraph 9 states: ”Michael Pietrczak needs additional time to attempt to locate and serve Defendants, Laura Lynn and/or the Rural Revival Living Trust.”

58. “And” means both. “Or” means either or both. Because the summons handed to Hammett on October 7, 2021 was addressed to “Rural Revival Living Trust” and “c/o Laura Lynn Hammett” and neither name included the word “Trustee”, Hammett could understand this as being the summons to the individual.

59. In Pietrczak Motion paragraph 6, Plaintiff’s counsel stated that Chief Deputy Pierce served a summons on Hammett on “October 12, 2021”. This is a typo or a lie.

60. The Affidavit attached to the Pietrczak Motion as Exhibit 4 (“Affidavit”), incorporated here as if set forth in full, repeats the typo or lie that Chief Deputy Pierce handed a summons to Hammett on October 12, 2021.

61. Assuming it was a typo, it shows that the Affidavit was probably prepared by the same person who wrote the Pietrczak Motion.

62. The Affidavit is not signed by Chief Deputy Pierce. It has an electronically generated block letter printing of Deputy Pierce's name on the signature line. It appears that Ezra Pierce was not present for the "signing".

63. Brooke Hipp is the notary.

64. Brooke Hipp works in the Law Office of William Z. White.

65. Brook Hipp is not licensed or authorized to perform electronic notarization. (As per the Secretary of State Website)

66. More importantly, the affidavit that appears to be drafted by someone in the office of Plaintiff's counsel, purports that Chief Deputy Pierce is authorized to practice law. He swore, if the notarization is valid, that "the Defendant, Rural Revival Living Trust, was duly served, pursuant to Rule 4 of the Arkansas Rules of Civil Procedure, with the Summons and Complaint for Damages personally."

67. Hammett could find no bar number for Ezra Pierce in Arkansas.

68. Chief Deputy Pierce is allowed testify to his actions, such as the sentence: "I served the Summons issued to Defendant Rural Revival Living Trust and the Complaint for Damages upon Laura Lynn Hammett in the courtroom of Hon. Judge Susan Weaver on October 12, 2021."

69. Chief Deputy Pierce is not allowed to deem the legal effect of his actions.

70. In Pietrczak Motion paragraph 8, Plaintiff stated: ”Hammett admitted in her most recent Motion to Dismiss that she was served with the summons for Trust. ”

71. In the Dec. 29 Mtn, the most recent motion to dismiss, Hammett did not admit she was served with the summons for the trust. She said the summons handed to her on October 7, 2021 did not have the word “trustee” after her name and she assumed it was directed toward her as the individual. She was reiterating the arguments made in the Oct. 8 Mtn. (Dec. 29 Mtn ¶ 7 and Pietrczak Motion ¶ 8)

72. In Pietrczak Motion paragraph 7, Plaintiff refers to a summons issued on behalf of Hammett as an individual to “LAURA LYNN HAMMETT as TRUSTEE of the RURAL REVIVAL LIVING TRUST”. (Pietrczak Motion Exhibit 5 is incorporated here as if set forth verbatim.)

73. Hammett differentiated the capacity of the party she was serving by using the words “an individual” and “trustee”. Mr. White is a licensed attorney, so he should know that Hammett an Individual and Hammett as Trustee are two distinct “persons”.

74. Because Mr. White did not use the word “trustee”, Hammett asked for him to add the clarification repeatedly.

75. In Pietrczak Motion paragraph 10, Plaintiff misinterprets *Hamilton v. Bank of the Ozarks (In re Hamilton Living Trust)*, 2019 Ark. App. 76 for the proposition that a summons does not need to name the person it is directed toward properly.

76. *Hamilton* is differentiated from the case at bar in several ways that point to the opposite conclusion: the summons must be directed toward the person who it is meant for and not another person who is also a party to the action.

77. In Hamilton, "the summons qualified as a special circumstance under rule governing official form of summons, [], beneficiary filed a timely answer, and a trust case, similar to a probate case, was not a typical lawsuit and the summons could be modified in special circumstances. Ark. Code Ann. § 28-73-201; Ark. R. Civ. P. 4(b), 10(a)." *Matter of Hamilton Living Tr. Dated Sept. 22, 2003*, 2019 Ark. App. 76, 571 S.W.3d 53 (2019)

78. In Hamilton, the defendant "did not dispute that he was correctly identified on the summons." Id. At *3 Hammett disputed that the trustee of the Rural Revival Living Trust was correctly identified in both the Oct. 8 Mtn and the Dec. 29 Mtn.

79. The Separate Defendant Rural Revival Living Trust filed no answer to the complaint.

80. Plaintiff knows the cases differed because no answer was filed by the Rural Revival Living Trust. The Pietrczak Motion includes the phrase, "by the answer

that was filed in response to the summons and the complaint that the complaint was served" in paragraph 10. The response filed was in the name of the individual Laura Lynn Hammett only. The Plaintiff filed a motion for default judgment simultaneously with the Pietrczak Motion indicating that Rural Revival Living Trust did not file a response.

81. Hamilton reiterates A.R.C.P. Rule 4(b) that the summons must "*contain the names of the parties*; be directed to the defendant".

82. A copy of the summons attached as Exhibit 3 to the Pietrczak Motion is incorporated herein as if set forth verbatim. ("The Summons")

83. The summons is directed to "c/o Laura Lynn Hammett".

84. The summons in contention in Hamilton was directed to "LARRY HAMILTON". Mr. Hamilton was not the trustee of the Hamilton Living Trust. He was sued as an individual.

85. The case at bar has two named defendants. Hammett has said repeatedly that both party names are misnomers, and the Plaintiff has failed to amend properly. Regardless, because Laura Lynn Hammett is in the name of two parties, the parties must be distinguished by the capacity in which each is referred, ie. "an individual" or "trustee" in both caption and summons.

86. If there is no designation that the party is a ”trustee” or some other official capacity, the default is that the party is an individual.

87. The Plaintiff in Hamilton “argues that, like a probate case, there is no traditional plaintiff versus defendant.” Id. At *8. The Hamilton Appellate Court said “we recognize that a trust-administration case, like a probate case, is also not a typical lawsuit involving a plaintiff versus a defendant.”

88. The case at bar is a typical lawsuit involving a plaintiff versus two defendants. It is not a special circumstance and does not allow for the relaxed rules regarding names in the summons.

89. “The Trustee in [*Hamilton*] filed a ‘Complaint for Declaration of Rights’ specifically stating that it was requesting a declaration of rights pursuant to Ark. Code Ann. § 28-73-201(c) and alleging that the court had jurisdiction over Mr. Hamilton and Ms. Cossey pursuant to Ark. Code Ann. § 28-73-202. Those statutes are found in the Arkansas Trust Code.” Id. At *9. In the case at bar, there is no referral to Ark. Code Ann. §28-73-202 nor declaration of rights and the complaint was not filed as a trust matter. The plaintiff complained that an individual “and/or” a trust committed various torts against him.

90. The plaintiff's use of "and/or" made the distinction of which defendant was allegedly acting confusing. (See Oct. 8 Mtn for a more thorough discussion of the use of "and/or")

91. "In [Hamilton], the summons contained the name of the trust and was directed to Mr. Hamilton. In no way did the form of the summons fail to apprise Mr. Hamilton of the pendency of the suit and afford him an opportunity to be heard." Id. At *11. In the case at bar, the summons was directed to the individual, not the trustee. The summons did not state the true plaintiff, Walter A. Pietrczak as Power of Attorney for Micheal Pietrczak.

92. Further, the complaint handed to Hammett misnamed Hammett as "Laura Lynn". Hammett disclosed her legal name to the plaintiff repeatedly, writing it on each of the numerous documents she filed. The plaintiff neglected to amend the complaint and it is now too late. The complaint must be dismissed, for a myriad of reasons, including the misnomer of plaintiff and defendant.

93. "Amendment of complaint in action for trespass and encroachment brought against adjoining landowner, to add son as a plaintiff as owner of part of the land, and to substitute plaintiffs' husband and wife in their capacity as trustees of the family trust holding the land, replacing their original status as individuals bringing the suit, did not relate back to their original complaint, which had been filed within

the three-year limitations period of the alleged trespass. Rules Civ.Proc., Rule 15(c).” *Bryant v. Hendrix*, 375 Ark. 200, 289 S.W.3d 402 (2008)

94. “An amendment of a pleading relates back to the date of the original pleading when: the amendment changes the party or the naming of the party against whom a claim is asserted if the foregoing provision (1) is satisfied and, within the period provided by Rule 4(i) for service of the summons and complaint…” id.

95. “We observe that our Rule 15(c) is expressly written in terms of amendments or changes to the ‘party against whom a claim is asserted [.]’ Appellants ask us to hold that the rule should be applied to allow amendments or changes to plaintiffs as well. We decline to so hold.” Id.

96. The authority cited in the preceding paragraph also shows that it is not acceptable to name an individual instead of a trustee of a trust, where the trust is the only owner of record on the deed to the property in question.

97. In Hamilton, “In no way did the form of the summons fail to apprise Mr. Hamilton of the pendency of the suit and afford him an opportunity to be heard. *See Nucor Corp.*, 358 Ark. at 123, 186 S.W.3d at 730.”

98. Hammett objected to the confusing summons the first day after receiving it. (Oct. 8 Mtn)

99. In Hamilton, "indeed, [the defendant] does not dispute that he received the summons and complaint; he filed a timely answer."

100. The Rural Revival Living Trust did not file an answer.

101. The exception to strict scrutiny made in *Hamilton* was "under these circumstances" and "this case qualified as a special circumstance." Id.

102. "Service of valid process is necessary to give a court jurisdiction over a defendant. Rules Civ.Proc., Rule 4(i)." Raymond v. Raymond, 343 Ark. 480, 36 S.W.3d 733 (2001)

103. "Summons is necessary to satisfy due process requirements. U.S.C.A. Const.Amend. 14; Rules Civ.Proc., Rule 4(i)." id.

104. "Statutory service requirements, being in derogation of common-law rights, must be strictly construed and compliance with them must be exact. Rules Civ.Proc., Rule 4(i)." id.

105. Hammett intends to file a response to the Motion for Default Judgment that was served to her on January 17, 2022 on February 1, 2022 which is 10 days plus legal holidays and weekends from when electronic notification was received.

Wherefore, the separate defendant asks the Court to order the record of the hearing of August 4, 2021 to be settled by playing the recording in open court;

decide the pending motions filed by Hammett including the motion to recuse, Hammett's Motion to Strike a Summons, Find Complaint Void for Improper Caption and Summons and a More Definite Statement filed October 8, 2021, Hammett's Motion to Dismiss for Failure to Name and Serve a Necessary Party filed December 29, 2021, Motion for Summary Judgment filed August 27, 2021, and deny the Plaintiff's Motion to Deem Service Upon Defendant Rural Revival Living Trust Perfected as it is an attempt by Plaintiff to respond appropriately to the motions listed here and fails regardless.

January 24, 2022 /s/ Laura Lynn Hammett

Laura Lynn Hammett
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CERTIFICATE OF SERVICE

I hereby certify that, on January 24, 2022 I electronically filed Laura Lynn Hammett and Individual's Response to Motion to Deem Service Upon Defendant Rural Revival Living Trust Perfected and embedded brief with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

January 24, 2022 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT v.**
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

HAMMETT'S EX PARTE MOTION FOR STAY OF MOTION FOR DEFAULT JUDGMENT UNTIL ORDER ISSUES ON APPEAL OF SIMILAR SITUATION; BRIEF IN SUPPORT

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Hammett"), in pro se, and for her Ex Parte Motion for Stay of Motion for Default Judgment Until Order Issues on Appeal of Similar Situation states as follows:

1. The Plaintiff filed the "Complaint" on April 23, 2021.
2. To date, no summons was issued to the "trustee" of the Rural Revival Living Trust.
3. A summons was untimely issued to "Rural Revival Living Trust" on October 7, 2021.
4. The summons was placed in the care of (using the character chain "c/o") "Laura Lynn Hammett".
5. By omitting the word "trustee", the default meaning of "Laura Lynn Hammett" is an individual, not a trustee.
6. The written order, which should be overturned as legal error on appeal, allowed for an extension of time to serve summons on "Laura Lynn and the Rural Revival Living Trust".
7. "Laura Lynn" is not Laura Lynn Hammett's legal name.
8. The Court may take judicial notice of the name a person claims to be her legal name.
9. Hammett has informed the Court and opposing party of her legal name change, granted at the same time Hammett obtained a marriage license, by writing her true name in all documents she filed in this case and at the two hearings.

10. Hammett filed a motion for clarification of the caption and summons and more definite statement of the complaint on October 8, 2021 ("Oct. 8 Mtn")
11. Plaintiff did not respond to the Oct. 8 Mtn.
12. The Court did not clarify the issues presented in the Oct. 8 Mtn.
13. Hammett filed a motion to deem service of Rural Revival Living Trust ineffective after the impermissible extension of time to serve expired ("Dec. 29 Mtn").
14. Plaintiff responded to the Dec. 29 Mtn without including a brief. Plaintiff waived any argument to the authorities cited in Hammett's Dec. 29 Mtn brief.
15. Plaintiff then filed an impermissible Motion to Deem the Service of Summons on Rural Revival Trust Perfected on January 14, 2022 with effective service on January 18, 2022. Actual service was on January 17, 2022, a legal holiday.
16. Plaintiff filed a Motion for Default Judgment on January 14, 2022 with effective service on January 18, 2022. Actual service was on January 17, 2022, a legal Holiday. The motion is referred to herein as "Default Mtn".
17. Entrance of Default Judgment against the Rural Revival Living Trust puts the beneficiaries of the Rural Revival Living Trust, including Hammett, at risk of losing control of the property known as 9985 Lick Fork Road.
18. If Judgment is entered, Plaintiff can transfer title to Mr. White or anyone else, quite easily.

19. Micheal Pietrczak is a convicted felon. His felony involved the use of fraudulent papers at the U.S. – Mexico border and a stolen vehicle.
20. Mr. Pietrczak admits to signing a void agreement that said he and Hammett were "married in the eyes of God", even though he had no intention of abiding by the agreement and was advertising for an 18 to 21 year old blue eyed blond to travel the country with him (using Hammett's money) at the time he signed.
21. Without Hammett's money, Mr. Pietrczak is, and always has been indigent. Now Mr. Pietrczak had another accident that left him paralyzed. He may be required to pay his own medical bills, maybe retroactively, and will be indigent again after paying his bills.
22. It will be impossible for Hammett to recoup her individual damages against Mr. Pietrczak if he transfers title to the Lick Fork Property.
23. There is a set of cases where the Plaintiff's attorney in this case, William Z. White, represents a man named Richard Gawenis. The three cases are:
24. 71PR-19-91 - ZELDA HARRELL WALLS -Guardianship of an adult;
25. 71CV-20-119 - ZELDA WALLS LIVING TRUST V RICHARD G GAWENIS – a civil action; and
26. CV-21-349 - RICHARD GAWENIS V ZELDA WALLS LIVING TRUST – an appeal of 71CV-20-119 in which Mr. White's client is appellant ("the Appeal").
27. This Court, the Honorable Judge Susan K. Weaver presided at both trials, 71CV-20-119 and 71PR-19-91.

28. The outcome of issues on appeal CV-21-349 may be controlling over the issues in the case at bar.
29. In CV-21-349, Mr. White's client challenges an order for default judgment in 71CV-20-119.
30. The default judgment issued because Mr. White's client did not respond to the complaint timely.
31. Mr. White argues that the complaint in 71CV-20-119 that asks Judge Weaver to set aside an order to revoke the Zelda Walls Living Trust should have been filed as a motion in 71PR-19-91.
32. The appellee argues that 71PR-19-91 is a probate case and the court did not have jurisdiction over his client, who was not served and who was a trustee, not the allegedly incapacitated settlor of the trust.
33. Mr. White failed to serve summons on the trustee of the Zelda Walls Living Trust before Judge Weaver errantly granted a motion to revoke the trust in 71PR-19-91.
34. The Gawenis cases and the case at bar turn upon two issues.
35. First, whether Judge Weaver erred in granting relief that effected a trust where there was a lack of service on the trustee. Hammett believes the Court erred.
36. Second, whether Judge Weaver erred by granting default judgment where Mr. White's client failed to respond to a complaint timely, where perfected service of summons on his client was not challenged. Hammett believes this Court did not err.

37. In the case at bar, the Court should recognize that Mr. White has a pattern and practice of failing to serve proper summons on a necessary party. For Mr. White to trick the Court once, shame on him; For the Court to fall for the same trick twice, shame on the Court. (This repeated error gives the appearance of bias.)

38. In the case at bar, the Court should be consistent with her ruling in 71CV-20-119. The Court should issue a default judgment against the Plaintiff who failed to respond to Hammett's counterclaim filed on June 10, 2021. Instead, the Court dismissed the counterclaim on August 20, 2021, sua sponte, with no meaningful explanation of the defects and no opportunity for Hammett to respond.

39. Hammett has a pending motion for reconsideration of the orders of August 20, 2021, the pending Oct. 8 Mtn, the pending Dec. 29 Mtn, a pending motion for recusal of Judge Susan K. Weaver and a pending motion to settle the record of August 4, 2021 hearing.

40. The outcome of any of the motions listed in the previous paragraph may be a dismissal of the Plaintiff's case.

41. The outcome of the Gawenis Appeal will shed light on the issues discussed in the motions listed in paragraph 39 above.

42. Therefore, for judicial economy, the Plaintiff's motion for default judgement should be stayed until the Appeal in Gawenis is decided.

43. The *Gawenis* Appeal, CV-21-349 is fully briefed. The Arkansas Court of Appeals could issue a ruling at any time.

44. The COA ruling should make A.R.C.P. Rule 4(f)(10) more definitive to this Court.

45. The COA ruling should uphold this Court's issuance of default judgment against Mr. White's client in 71CV-20-119 for failure to respond to a complaint timely. The same rule should apply to the failure of Mr. White's client to respond to Hammett's counterclaim to the case at bar.

46. Hammett's Motion for Default Judgment was filed and served prior to the Court's impermissible dismissal of Hammett's Counterclaim.

47. Once Hammett's Counterclaim is granted by default, there will be protection of the Lick Fork Property title in the name of the Trustee or to be transferred to the trusts beneficiaries.

48. Even if default judgment is granted against Rural Revival Living Trust and is not set aside pursuant to A.R.C.P. Rule 55(c), or on appeal, Hammett as an individual will likely be entitled to collect the proceeds of sale of the Lick Fork Property from Plaintiff. (Hammett incorporates here as if set forth fully verbatim all exhibits filed in this action and testimony given at the hearing of October 7, 2021 which went unrebutted.)

Brief in Support

49. The power to stay a case "is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. North American Co*., 299 U.S. 248, 254 (1936).

50. "Courts have the inherent power to stay proceedings pending a decision by the U.S. Supreme Court in another case." *Lair v. Murry*, 871 F.Supp.2d 1058, 1068 (D. Mont. 2012) (citing Landis, supra). See also *American Life Ins. Co. v. Stewart*, 300 U.S. 203, 215 (1937) (In the exercise of its sound discretion, a court may hold one action in abeyance to abide the outcome of another which may substantially affect it or be dispositive of the issues); *Blinder, Robinson & Co., Inc. v. U.S.S.E.C.,* 692 F.2d 102, 106 (10th Cir. 1982) (It is a "well established policy that a court may, in its discretion, defer or abate proceedings where another suit, involving the identical issues, is pending either in federal or state court, and it would be duplicative, uneconomical and vexatious to proceed."); *Bechtel Corp. v. Local 215, Laborers' Intern. Union of North America, AFL-CIO*, 544 F.2d 1207, 1215 (3rd Cir. 1976) (affirming stay of proceedings where resolution of a separate action "may obviate the need to pursue" the action and noting that "[w]e do not know whether this will occur but the possibility is sufficient justification to warrant the stay."); *Louis Berger Group, Inc. v. State Bank of India*, 802 F.Supp.2d 482 (S.D.N.Y. 2011) (stay of proceedings is particularly appropriate where stay will promote judicial economy, avoid confusion, and possibly avoid inconsistent results).

51. The Arkansas Supreme Court has recognized that a stay of proceedings before an Arkansas circuit court is proper where relevant issues are presented to the Arkansas Supreme Court in a separate case. See Cooper *Tire & Rubber Co. v. Phillips County Circuit Court*, 2010 Ark. 437, Not

Reported in S.W.3d, 2010 WL 4526875 ("The temporary stay issued by this Court … stays all proceedings in the trial court pending resolution of the petition for writ of certiorari, prohibition, mandamus, or other supervisory writ."). The same logic warrants a stay of proceedings in this case. The Arkansas Supreme Court has also recognized that it should stay proceedings before it where the decision of another court may affect the outcome of the Arkansas Supreme Court case. See *Mitchell v. Anthony*, 353 Ark. 915, 120 S.W.3d 97 (2003) (In proceeding arising out of custody and extradition matters in two other states and a habeas corpus petition filed in federal district court, the Arkansas Supreme Court stayed all proceedings in Arkansas awaiting the federal district court's determination regarding whether it had jurisdiction).

52. A stay is warranted in this case for many reasons. A stay will promote efficiency of time and effort for both the Court and counsel. Without a stay, the parties and the Court will be forced to pursue unnecessary and unwarranted litigation over issues that may be significantly impacted by rulings from the Court of Appeals. Without a stay, and even if an attorney will agree to represent the Rural Revival Living Trust to set aside or appeal judgment, the trust has no liquid assets and Hammett would be required to pay the trust's attorney to protect her own interests as beneficiary of the trust and money Mr. Pietrczak fraudulently induced Hammett to lend to him and of which he was trustee and bailiff. In order to promote economy of time and effort for itself, for counsel, and for the parties, and in order to avoid confusion and the risk of an inconsistent

result with cases presenting similar issues with the same Judge and attorney in the Court of Appeals.

Wherefore Laura Lynn Hammett asks the Court to Stay the Motion for Default Judgment against the Rural Revival Living Trust file stamped on January 14, 2022 until the Appellate case CV-21-349 - RICHARD GAWENIS V ZELDA WALLS LIVING TRUST is decided.

Submitted January 28, 2022.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on January 28, 2022, I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Motion for Stay of Motion for Default Judgment Until Order Issues on Appeal of Similar Situation with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

January 28, 2022 /S/ Laura Lynn Hammett

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT v.**
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

OPPOSITION TO PLAINTIFF'S MOTION FOR DEFAULT JUDGEMENT AND DEMAND FOR DAMAGES AGAINST DEFENDANT RURAL REVIVAL LIVING TRUST

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Hammett"), in pro se, and for her OPPOSITION TO PLAINTIFF'S MOTION FOR DEFAULT JUDGEMENT AND DEMAND FOR DAMAGES AGAINST DEFENDANT RURAL REVIVAL LIVING TRUST states:

1. A "Complaint" in this case was filed on April 23, 2021 naming Walter Pietrczak as Power of Attorney for Micheal Pietrczak as Plaintiff.
2. The same conduct, incidents and issues discussed in the present case also should give rise to a criminal investigation of Micheal Pietrczak, AKA Michael Pietrczak ("Pietrczak") for fraud against Hammett, with William Z. White and others as accomplices.
3. As per Hammett's unrebutted testimony given October 7, 2021 before this Court and the counterclaim filed June 10, 2021 that was impermissibly dismissed *sua* sponte with no opportunity to argue against the dismissal, Pietrczak told Hammett repeatedly, and swore under penalty of perjury several times, that he considered Hammett to be his "wife in the eyes of God" and his "wife".
4. Pietrczak took hundreds of thousands of dollars from the older woman intending all the while to keep it to pay for drugs and prostitutes.

5. The Court should protect the older woman from losing any more of her retirement assets to the fraudster.

6. Pietrczak has already served a sentence in Federal prison for using fraudulent documents.

7. The rules of civil procedure are designed to deliver substantial justice, A.R.C.P. Rule 1.

8. Allowing a fraudster to take anything from a 59-year-old woman would be a travesty of justice.

9. Hammett has an interest in the outcome of the motion for default judgment against the Rural Revival Living Trust, because Hammett is a beneficiary of the trust and her individual rights to the property might be estopped if the trustee of the Rural Revival Living Trust is ordered to sign a deed over to Pietrczak.

10. "Generally, a person who, acting in a representative capacity, executes a conveyance of land, without reservations, which purports to convey the entire property or the fee in the property, or which represents that the title is in another, is estopped to claim in his individual capacity an interest in the property. Thus, agents, corporate officers, guardians, trustees, and executors

and administrators have been held to be estopped by execution of conveyances in the foregoing representative capacities to assert any individual interest in property." *Jackson v. Smith*, 2010 Ark. App. 681, 15, 380 S.W.3d 443, 452 (2010)

11. "The rule, that persons in a representative capacity are estopped to assert an individual interest in the property is especially applicable where the conveyance executed in such representative capacity contains covenants of warranty, is a sale and conveyance of the entire estate, or where it appears that full value was received for the property, including the personal interest of the party executing the conveyance. It has been pointed out, however, that in order to create an estoppel against a person conveying land in a representative capacity, it is not necessary that the deed contain covenants." Id.

12. "Some authorities have taken the view that a person who executes a transfer of land in a representative or fiduciary capacity is not estopped to claim an interest in the property in his individual right." Id.

13. Therefore, this Court would normally have the discretion to decide a transfer of the title back to Micheal Pietrczak bars Hammett from asserting her individual right to the property.

14. Hammett argues here that such an outcome would be an abuse of discretion.

15. Therefore, Hammett as an individual asks this Court that any default judgment against the Rural Revival Living Trust is clear that the individual is not estopped from asserting her right to the Lick Fork property.

16. Pietrczak is indigent. He assumably owes attorney fees to Mr. White. If Pietrczak is allowed by this Court to liquidate the Lick Fork Property, the money will be difficult to recover before Hammett can appeal the case.

17. It would be an abuse of discretion to decide the motion for default judgment before Hammett can appeal the dismissal of her counterclaim, the denial of the Court to recuse for an appearance of bias, orders that deem the summons and service of summons on Rural Revival Living Trust sufficient, the motion to settle the record of the hearing of August 4, 2021 and all other legal errors made by this Court.

18. To date, no summons was issued to the "trustee" of the Rural Revival Living Trust.

19. A summons was untimely issued to “Rural Revival Living Trust” on October 7, 2021.

20. The summons was placed in the care of (using the character chain “c/o”) “Laura Lynn Hammett”.

21. By omitting the word “trustee”, the default meaning of “Laura Lynn Hammett” is an individual, not a trustee.

22. The written order of August 19, 2021, which should be overturned as legal error on appeal, allowed for an extension of time to serve summons on “Laura Lynn and the Rural Revival Living Trust”.

23. “Laura Lynn” is not Laura Lynn Hammett’s legal name.

24. The Court may take judicial notice of the name a person claims to be her legal name.

25. Hammett has informed the Court and opposing party of her legal name change, granted at the same time Hammett obtained a marriage license, by writing her true name in all documents she filed in this case and stating her name at the hearings of August 4, 2021 and October 7, 2021.

26. The complaint is ambiguous as to whether the averments are against Hammett as an individual, the Trust or both. The character chain "and/or" is repeated throughout the averments. "And/or" is not a word. It is ambiguous.

27. Hammett filed a motion for clarification of the caption and summons and more definite statement of the complaint on October 8, 2021 ("Oct. 8 Mtn")

28. Plaintiff did not respond to the Oct. 8 Mtn.

29. The Court did not clarify the issues presented in the Oct. 8 Mtn.

30. Hammett filed a motion to deem service of Rural Revival Living Trust ineffective after the impermissible extension of time to serve expired ("Dec. 29 Mtn").

31. Plaintiff responded to the Dec. 29 Mtn without including a brief. Plaintiff thereby waived any argument to the authorities cited in Hammett's Dec. 29 Mtn brief.

32. Plaintiff then filed an impermissible Motion to Deem the Service of Summons on Rural Revival Trust Perfected on January 14, 2022 with effective service on January 18, 2022. Actual service was on January 17, 2022, a legal holiday.

33. Plaintiff filed his Motion for Default Judgment on January 14, 2022 with effective service on January 18, 2022. Actual service was on January 17, 2022, a legal Holiday. The motion is referred to herein as "Default Mtn".

34. Entrance of Default Judgment against the Rural Revival Living Trust puts the beneficiaries of the Rural Revival Living Trust, including Hammett, at risk of losing control of the property known as 9985 Lick Fork Road.

35. If Judgment is entered, Plaintiff can transfer title to Mr. White or anyone else, quite easily.

36. There is a set of cases where the Plaintiff's attorney in this case, William Z. White, represents a man named Richard Gawenis. The three cases are:

37. 71PR-19-91 - ZELDA HARRELL WALLS -Guardianship of an adult;

38. 71CV-20-119 - ZELDA WALLS LIVING TRUST V RICHARD G GAWENIS – a civil action; and

39. CV-21-349 - RICHARD GAWENIS V ZELDA WALLS LIVING TRUST – an appeal of 71CV-20-119 in which Mr. White's client is appellant ("the Appeal").

40. This Court, the Honorable Judge Susan K. Weaver presided on both lower court cases, 71CV-20-119 and 71PR-19-91.

41. Mr. White failed to serve summons on the trustee of the Zelda Walls Living Trust before Judge Weaver errantly granted a motion to revoke the trust in 71PR-19-91.

42. One issue intwined in the three cases is whether Judge Weaver erred in granting relief that effected a trust where there was a lack of service on the trustee. Hammett believes the Court erred.

43. A summons must be directed toward the "trustee" of a trust.

44. No summons was issued on 65CV-18-8 or this case to "the trustee" of the Rural Revival Living Trust.

45. The Court is aware that service must be affected within 120 days of filing or a written motion for extension of time must be filed and the non-moving party given 10 days plus Saturdays, Sundays and legal holidays to respond in writing.

46. The Court is aware that Hammett claims she did not hear the Court make an oral order granting the oral motion for extension of time made on August 4, 2021.

47. The Court should therefore reconsider the errant written order granting the extension on August 19, 2021, one day after the written motion was filed.

48. The Court should recognize that Mr. White has a pattern and practice of failing to serve proper summons on a necessary party.

49. Hammett has a pending motion for reconsideration of the orders of August 20, 2021, the pending Oct. 8 Mtn, the pending Dec. 29 Mtn, a pending motion for recusal of Judge Susan K. Weaver and a pending motion to settle the record of August 4, 2021 hearing.

50. The outcome of any of the motions listed in the previous paragraph may be a dismissal of the Plaintiff's case in full.

51. The outcome of the Gawenis Appeal will shed light on the issues discussed in the motions listed in paragraph 49 above.

52. Therefore, if the Court grants the motion for default judgment against the Rural Revival Living Trust, the Court should order a stay of judgment until Hammett's motions and the Gawenis Appeal are decided to protect the property rights of Hammett as an individual.

53. Even if default judgment is granted against Rural Revival Living Trust and is not set aside pursuant to A.R.C.P. Rule 55(c), or on appeal, Hammett as an individual should be entitled to collect the proceeds of sale of the Lick Fork Property from Plaintiff. (Hammett incorporates here as if set forth fully

verbatim all exhibits filed in this action and testimony given at the hearing of October 7, 2021 which went unrebutted.)

54. Hammett asked for a continuance of the hearing of August 4, 2021 based in part on the Plaintiff's failure to issue summons to a necessary party, the trustee of the Rural Revival Living Trust.

55. Plaintiff opposed the continuance, in writing, right up to a few days before trial.

56. The Court neither granted nor denied the motion for continuance, so Hammett as an individual prepared for trial.

57. Plaintiff filed no exhibits with the trial court administrator. This violated a court order.

58. At the final hearing, Plaintiff asked for a continuance. The "good cause" given was that Hammett and the Trustee of the Rural Revival Living Trust had "dodged service".

59. The Court acknowledged that there was no evidence that the defendants "dodged service". Lacking any other stated cause, the Court granted the continuance anyhow.

60. There was no jury assembled, which appears that the Court knew ahead of the trial that Plaintiff was going to ask for a continuance, or in the least that the Court was going to grant Hammett's motion for continuance.

61. It looks like collusion for the Court to command Hammett to prepare for trial, physically bring exhibits to the trial court administrator and court reporter, and when Hammett complied, to continue the trial for the plaintiff who had not produced any exhibits and had not issued a summons on a necessary party, the Rural Revival Living Trust through its Trustee.

62. Hammett should have prevailed at trial on August 4, 2021.

63. The plaintiff has still failed to issue a summons to the proper defendants.

64. The plaintiff failed to amend the caption to reflect the defendant's legal names.

65. The plaintiff claimed to be Walter Pietrczak as Power of Attorney to Micheal Pietrczak, but did not use this name in the caption.

66. The Complaint was filed on behalf of Walter Pietrczak - Power of Attorney for Micheal Pietrczak. There was no complaint filed on behalf of Micheal Pietrczak. Any complaint filed now is outside the statute of limitations.

67. The Default Mtn is written on behalf of an amended plaintiff, but there was no motion to amend filed and an amendment would not relate back. All causes of action would be outside the statute of limitations.

68. Because the Rural Revival Living Trust has no liquid assets and is already in debt to Hammett as an individual, if the trust must hire an attorney to move the court to set aside a default judgment, the attorney will need to be paid on contingency and Hammett as an individual will lose half the proceeds of sale of the Lick Fork property to the attorney representing the trust.

Brief in Support

69. Ark. R. Civ. P. Rule 19 requires the Plaintiff to name and serve summons on all necessary parties.

70. Only one summons for case number 65CV-21-20 was served on "Laura Lynn Hammett".

71. Because the word "trustee" was not on the summons and not in the caption of the complaint, Hammett believed the summons was directed toward the individual.

72. Hammett apprised the Court and Plaintiff of her belief that the Summons and complaint were directed improperly on October 8, 2021.

73. Hammett is not authorized to serve summons on a separate person.

74. Hammett is not authorized to practice law in Arkansas.

75. "Service of valid process is necessary to give a court jurisdiction over a defendant. Rules Civ.Proc., Rule 4(i)." *Raymond v. Raymond*, 343 Ark. 480, 36 S.W.3d 733 (2001)

76. "Summons is necessary to satisfy due process requirements. *U.S.C.A. Const.Amend. 14; Rules Civ.Proc., Rule 4(i)*." id.

77. "Statutory service requirements, being in derogation of common-law rights, must be strictly construed and compliance with them must be exact. Rules Civ.Proc., Rule 4(i)." id.

78. "Chancellor's decree awarding former husband a divorce was void, where former wife was never served with a copy of former husband's complaint or summons, and former husband did not file a motion to extend the time or obtain a waiver and entry of appearance whereby former wife waived service of summons or process. Rules Civ.Proc., Rule 4(i)." id.

79. "The Rule of Civil Procedure on relation back of amendments to pleadings, which is expressly written in terms of amendments or changes to the party against whom a claim is asserted, does not apply to allow amendments or changes to plaintiffs as well. Rules Civ.Proc., Rule 15(c)." *Bryant v. Hendrix*, 375 Ark. 200, 289 S.W.3d 402 (2008)

80. "Where an action is brought in the name of a non-existing plaintiff, an amendment of complaint by substituting the proper party to the action as plaintiff will be regarded as the institution of a new action as regards the statute of limitations." Id.

81. "[A]ccording to Rhuland [v. Fahr, 356 Ark. 382, 155 S.W.3d 2 (2004)], whenever an amendment to a complaint substitutes a new plaintiff, such amendment is a new cause of action and does not relate back to the original complaint." Id.

82. Attorney White should be foreclosed from writing "on behalf of Micheal Pietrczak" instead of "Walter Pietrczak as Power of Attorney…" on the Default Mtn and the Complaint should be dismissed as per the motion for Summary Judgment filed Aug. 27, 2021, which is adopted here by reference

as if set forth verbatim. (*A.C.A. § 16-62-102 and McKibben v. Mullis, 79 Ark. App. 382, 90 S.W.3d 442 (2002*))

83. In the lawsuit under 42 USC 1983 Hammett filed against Judge Susan Kaye Weaver as an individual, 4:21-cv-00857-BRW, dismissed pursuant to Rooker-Feldman, etc., Judge Weaver stated: (on brief Document 4, page 2)

"[Hammett] then claims that the Judge granted the motion [for extension of time to serve summons on the Rural Revival Living Trust], finding that 10 days had passed since Mr. White filed the written motion and Plaintiff had not responded."

84. This statement written on behalf of the Judge Susan Kaye Weaver shows that the Court based the written order granting the extension of time to serve (and issue) summons on the erroneous conclusion that Hammett had 10 days to respond to the written motion to extend time for service.

85. Hammett was given one day to respond and filed an objection which was not responded to by the Plaintiff or the Court.

86. Hammett has a pending motion to settle the record filed August 29, 2021, in which she stated that the transcript of the hearing of August 4, 2021 is significantly inaccurate. Hammett asks again that the record be settled prior

to the drastic measure of issuing a default. (ARAP 6(e), *Craig v. State*, 64 Ark. App. 281, 282, 983 S.W.2d 440, 441–42 (1998))

87. Regardless of whether the extension was lawful or not, the Plaintiff named may not be amended with relation back and it is six years since any of the conduct complained of, therefore outside the statute of limitations.

88. Mr. White prepared and filed an affidavit of service purportedly electronically signed by Searcy County Chief Deputy Ezra Pierce. The signature is electronic. Mr. White's employee, Brooke Hipp, is not authorized to eNotarize, according to the Secretary of State website.

89. The affidavit claims Deputy Pierce swore "the Defendant, Rural Revival Living Trust, was duly served, pursuant to Rule 4 of the Arkansas Rules of Civil Procedure, with the Summons and Complaint for Damages personally" on "October 12, 2021".

90. This is not true. Deputy Pierce handed only one summons to Hammett. That was on October 7, 2021. Hammett and Deputy Pierce were not in each other's presence on October 12, 2021.

91. Deputy Pierce is not authorized to practice law, according to the State Bar website. He is not allowed to opine on the legal effect of handing one

summons to a person. His opinion was wrong. The Rural Revival Living Trust was not duly served.

92. The docket and the summons speak for themselves. One summons was served. That summons was directed to "c/o Laura Lynn Hammett", not "Laura Lynn Hammett as Trustee of the Rural Revival Living Trust".

93. In the companin motion dated January 14, 2021, Plaintiff misinterprets *Hamilton v. Bank of the Ozarks (In re Hamilton Living Trust*), 2019 Ark. App. 76 for the proposition that a summons does not need to name the person it is directed toward properly.

94. Hamilton is differentiated from the case at bar in several ways that point to the opposite conclusion: the summons must be directed toward the person who it is meant for and not another person who is also a party to the action.

95. In Hamilton, "the summons qualified as a special circumstance under rule governing official form of summons, [], beneficiary filed a timely answer, and a trust case, similar to a probate case, was not a typical lawsuit and the summons could be modified in special circumstances. Ark. Code Ann. § 28-73-201; Ark. R. Civ. P. 4(b), 10(a)." Matter of Hamilton Living Tr. Dated Sept. 22, 2003, 2019 Ark. App. 76, 571 S.W.3d 53 (2019)

96. In Hamilton, the defendant "did not dispute that he was correctly identified on the summons." Id. At *3 Hammett disputed that the trustee of the Rural Revival Living Trust was correctly identified in both the Oct. 8 Mtn and the Dec. 29 Mtn.

97. The Separate Defendant Rural Revival Living Trust filed no answer to the complaint.

98. Plaintiff knows the cases differed because no answer was filed by the Rural Revival Living Trust. The Pietrczak Motion includes the phrase, "by the answer that was filed in response to the summons and the complaint that the complaint was served" in paragraph 10. The response filed was in the name of the individual Laura Lynn Hammett only. The Plaintiff filed a motion for default judgment simultaneously with the Pietrczak Motion indicating that Rural Revival Living Trust did not file a response.

99. Hamilton reiterates A.R.C.P. Rule 4(b) that the summons must "contain the names of the parties;" and "be directed to the defendant".

100. Plaintiff chose to omit the word "trustee" from the summons and caption. Hammett and the Rural Revival Living Trust, when the trust was represented by counsel in 85CV-18-8, both informed the Plaintiff that the

summons and complaint did not address the trustee properly. The Plaintiff chose to ignore the repeated admonishment.

Wherefore Laura Lynn Hammett asks the Court to deny the Motion for Default Judgment against the Rural Revival Living Trust file stamped on January 14, 2022. Alternatively, Hammett asks the Court to stay execution of judgment on the default until the rights of separate defendant Laura Lynn and Counterclaimant Laura Lynn Hammett are finally decided and upheld on appeal, so as to discourage a fraudulent transfer by Micheal Pietrczak, Walter Pietrczak or William Zac White.

Submitted January 31, 2022.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on January 31, 2022, I electronically filed Hammett's Opposition to Plaintiff's Motion for Default Judgment and Demand for Damages Against Defendant Rural Revival Living Trust with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

January 31, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFF'S RESPONSE TO DEFENDANT'S EX PARTE MOTION FOR STAY OF MOTION FOR DEFAULT JUDGMENT UNTIL ORDER ISSUES ON APPEAL OF SIMILAR SITUATION; BRIEG IN SUPPORT

Comes now the Plaintiff, Michael Pietrczak, via the attorney, William Z. White, who in support of this Plaintiff's Response to Laura Lynn Hammett's Motion alleges as follows:

1. Plaintiff admits the allegations set forth in paragraph 1 of Defendant's Motion.
2. Plaintiff denies the allegations set forth in paragraph 2 of Defendant's Motion.
3. Plaintiff denies the allegations set forth in paragraph 3 of Defendant's Motion.
4. Plaintiff denies the allegations set forth in paragraph 4 of Defendant's Motion.
5. Plaintiff denies the allegations set forth in paragraph 5 of Defendant's Motion.
6. Plaintiff denies the allegations set forth in paragraph 6 of Defendant's Motion.
7. Plaintiff denies the allegations set forth in paragraph 7 of Defendant's Motion.
8. Plaintiff denies the allegations set forth in paragraph 8 of Defendant's Motion.
9. Plaintiff denies the allegations set forth in paragraph 9 of Defendant's Motion.
10. Plaintiff denies the allegations set forth in paragraph 10 of Defendant's Motion.
11. Plaintiff denies the allegations set forth in paragraph 11 of Defendant's Motion.
12. Plaintiff denies the allegations set forth in paragraph 12 of Defendant's Motion.

13. Plaintiff denies the allegations set forth in paragraph 13 of Defendant's Motion.

14. Plaintiff denies the allegations set forth in paragraph 14 of Defendant's Motion.

15. Plaintiff denies the allegations set forth in paragraph 15 of Defendant's Motion.

16. Plaintiff denies the allegations set forth in paragraph 16 of Defendant's Motion.

17. Plaintiff admits the allegations set forth in paragraph 17 of Defendant's Motion.

18. Plaintiff denies the allegations set forth in paragraph 18 of Defendant's Motion.

19. Plaintiff denies the allegations set forth in paragraph 19 of Defendant's Motion.

20. Plaintiff denies the allegations set forth in paragraph 20 of Defendant's Motion.

21. Plaintiff denies the allegations set forth in paragraph 21 of Defendant's Motion.

22. Plaintiff denies the allegations set forth in paragraph 22 of Defendant's Motion.

23. Plaintiff admits the allegations set forth in paragraph 23 of Defendant's Motion.

24. Plaintiff admits the allegations set forth in paragraph 24 of Defendant's Motion.

25. Plaintiff admits the allegations set forth in paragraph 25 of Defendant's Motion.

26. Plaintiff admits the allegations set forth in paragraph 26 of Defendant's Motion.

27. Plaintiff admits the allegations set forth in paragraph 27 of Defendant's Motion.

28. Plaintiff denies the allegations set forth in paragraph 28 of Defendant's Motion.

29. Plaintiff admits the allegations set forth in paragraph 29 of Defendant's Motion.

30. Plaintiff denies the allegations set forth in paragraph 30 of Defendant's Motion.

31. Plaintiff denies the allegations set forth in paragraph 31 of Defendant's Motion.

32. Plaintiff denies the allegations set forth in paragraph 32 of Defendant's Motion.

33. Plaintiff denies the allegations set forth in paragraph 33 of Defendant's Motion.

34. Plaintiff denies the allegations set forth in paragraph 34 of Defendant's Motion.

35. Plaintiff denies the allegations set forth in paragraph 35 of Defendant's Motion.

36. Plaintiff denies the allegations set forth in paragraph 36 of Defendant's Motion.

37. Plaintiff denies the allegations set forth in paragraph 37 of Defendant's Motion.

38. Plaintiff denies the allegations set forth in paragraph 38 of Defendant's Motion.

39. Plaintiff admits the allegations set forth in paragraph 39 of Defendant's Motion.

40. Plaintiff denies the allegations set forth in paragraph 40 of Defendant's Motion.

41. Plaintiff denies the allegations set forth in paragraph 41 of Defendant's Motion.

42. Plaintiff denies the allegations set forth in paragraph 42 of Defendant's Motion.

43. Plaintiff denies the allegations set forth in paragraph 43 of Defendant's Motion.

44. Plaintiff denies the allegations set forth in paragraph 44 of Defendant's Motion.

45. Plaintiff denies the allegations set forth in paragraph 45 of Defendant's Motion.

46. Plaintiff denies the allegations set forth in paragraph 46 of Defendant's Motion.

47. Plaintiff denies the allegations set forth in paragraph 47 of Defendant's Motion.

48. Plaintiff denies the allegations set forth in paragraph 48 of Defendant's Motion.

49. Plaintiff denies the allegations set forth in paragraph 49 of Defendant's Motion.

50. Plaintiff denies the allegations set forth in paragraph 50 of Defendant's Motion.

51. Plaintiff denies the allegations set forth in paragraph 51 of Defendant's Motion.

52. Plaintiff denies the allegations set forth in paragraph 52 of Defendant's Motion.

53. Plaintiff denies the allegations set forth in Defendant's Wherefore paragraph in her Motion.

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Ex-Parte Motion for Stay of Motion for Default Judgment until Order Issues on Appeal of Similar Situation; Brief in Support; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiffs, Michael Pietrczak.

By: */s/ William Zac White*
William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Monday, February 14, 22

/s/ William Zac White
William Z. White

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR DEFAULT JUDGMENT AND DEMAND FOR DAMAGES AGAINST DEFENDANT RURAL REVIVAL LIVING TRUST

Comes now the Plaintiff, Michael Pietrczak, via the attorney, William Z. White, who in support of this Plaintiff's Response to Laura Lynn Hammett's Motion alleges as follows:

1. Plaintiff admits the allegations set forth in paragraph 1 of Defendant's Motion.

2. Plaintiff denies the allegations set forth in paragraph 2 of Defendant's Motion.

3. Plaintiff denies the allegations set forth in paragraph 3 of Defendant's Motion.

4. Plaintiff denies the allegations set forth in paragraph 4 of Defendant's Motion.

5. Plaintiff denies the allegations set forth in paragraph 5 of Defendant's Motion.

6. Plaintiff admits the allegations set forth in paragraph 6 of Defendant's Motion.

7. Paragraph 7 is a statement of law. Therefore, a response is not required.

8. Plaintiff denies the allegations set forth in paragraph 8 of Defendant's Motion.

9. Plaintiff denies the allegations set forth in paragraph 9 of Defendant's Motion.

10. Paragraphs 10-12 are statements of law. Therefore, a response is not required.

11. Plaintiff denies the allegations set forth in paragraph 13 of Defendant's Motion.

12. Plaintiff denies the allegations set forth in paragraph 14 of Defendant's Motion.

13. Plaintiff denies the allegations set forth in paragraph 15 of Defendant's Motion.

14. Plaintiff denies the allegations set forth in paragraph 16 of Defendant's Motion.

15. Plaintiff denies the allegations set forth in paragraph 17 of Defendant's Motion.

16. Plaintiff denies the allegations set forth in paragraph 18 of Defendant's Motion.

17. Plaintiff denies the allegations set forth in paragraph 19 of Defendant's Motion.

18. Plaintiff denies the allegations set forth in paragraph 20 of Defendant's Motion.

19. Plaintiff denies the allegations set forth in paragraph 21 of Defendant's Motion.

20. Plaintiff denies the allegations set forth in paragraph 22 of Defendant's Motion.

21. Plaintiff denies the allegations set forth in paragraph 23 of Defendant's Motion.

22. Plaintiff denies the allegations set forth in paragraph 24 of Defendant's Motion.

23. Plaintiff admits the allegations set forth in paragraph 25 of Defendant's Motion.

24. Plaintiff denies the allegations set forth in paragraph 26 of Defendant's Motion.

25. Plaintiff denies the allegations set forth in paragraph 27 of Defendant's Motion.

26. Plaintiff denies the allegations set forth in paragraph 28 of Defendant's Motion.

27. Plaintiff denies the allegations set forth in paragraph 29 of Defendant's Motion.

28. Plaintiff admits the allegations set forth in paragraph 30 of Defendant's Motion.

29. Plaintiff denies the allegations set forth in paragraph 31 of Defendant's Motion.

30. Plaintiff denies the allegations set forth in paragraph 32 of Defendant's Motion.

31. Plaintiff denies the allegations set forth in paragraph 33 of Defendant's Motion.

32. Plaintiff admits the allegations set forth in paragraph 34 of Defendant's Motion.

33. Plaintiff denies the allegations set forth in paragraph 35 of Defendant's Motion.

34. Plaintiff admits the allegations set forth in paragraph 36 of Defendant's Motion.

35. Plaintiff admits the allegations set forth in paragraph 37 of Defendant's Motion.

36. Plaintiff admits the allegations set forth in paragraph 38 of Defendant's Motion.

37. Plaintiff admits the allegations set forth in paragraph 39 of Defendant's Motion.

38. Plaintiff admits the allegations set forth in paragraph 40 of Defendant's Motion.

39. Plaintiff denies the allegations set forth in paragraph 41 of Defendant's Motion.

40. Plaintiff denies the allegations set forth in paragraph 42 of Defendant's Motion.

41. Plaintiff denies the allegations set forth in paragraph 43 of Defendant's Motion.

42. Plaintiff denies the allegations set forth in paragraph 44 of Defendant's Motion.

43. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 45 of Defendant's Motion, therefore, denies the same.

44. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 46 of Defendant's Motion, therefore, denies same

45. Plaintiff denies the allegations set forth in paragraphs 47 -55 of Defendant's Motion.

46. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 56 of Defendant's Motion, therefore, denies the same.

47. Plaintiff denies the allegations set forth in paragraph 57 of Defendant's Motion.

48. Plaintiff admits the allegations set forth in paragraph 58 of Defendant's Motion.

49. Plaintiff denies the allegations set forth in paragraph 59 of Defendant's Motion.

50. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 60 of Defendant's Motion, therefore, denies the same.

51. Plaintiff denies the allegations set forth in paragraphs 61-67 of Defendant's Motion.

52. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 68 of Defendant's Motion, therefore, denies the same.

53. Paragraph 69 is a statement of law. Therefore, a response is not required.

54. Plaintiff denies the allegations set forth in paragraphs 70-71 of Defendant's Motion.

55. Plaintiff is without sufficient information or knowledge to form an opinion as to the allegations set forth in paragraph 72 of Defendant's Motion, therefore, denies the same.

56. Plaintiff denies the allegations set forth in paragraph 73 of Defendant's Motion.

57. Plaintiff admits the allegations set forth in paragraph 74 of Defendant's Motion.

58. Paragraphs 75-81are a statement of law. Therefore, a response is not required.

59. Plaintiff denies the allegations set forth in paragraph 82 of Defendant's Motion.

60. Plaintiff admits the allegations set forth in paragraph 83 of Defendant's Motion.

61. Plaintiff denies the allegations set forth in paragraphs 84-88 of Defendant's Motion.

62. Plaintiff admits the allegations set forth in paragraph 89 of Defendant's Motion.

63. Plaintiff denies the allegations set forth in paragraphs 90-96 of Defendant's Motion.

64. Plaintiff admits the allegations set forth in paragraph 97 of Defendant's Motion.

65. Plaintiff denies the allegations set forth in paragraph 98 of Defendant's Motion.

66. Paragraph 99 is a statement of law. Therefore, a response is not required.

67. Plaintiff denies the allegations set forth in paragraph 100 of Defendant's Motion.

68. Plaintiff denies the allegations set forth in Defendant's Wherefore paragraph in her Motion.

WHEREFORE, the Plaintiff respectfully request that the Court: (1) deny Defendant's Ex-Parte Motion for Stay of Motion for Default Judgment until Order Issues on Appeal of Similar Situation; Brief in Support; and (2) award the Plaintiff all other legal, equitable and proper relief to which the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully Submitted on Behalf of the
Plaintiffs, Michael Pietrczak.

By: *<u>/s/ William Zac White</u>*
William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Monday, February 14, 22

/s/ William Zac White
William Z. White

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT v.**
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

HAMMETT'S REPLY TO "PLAINTIFF'S" RESPONSE TO EX PARTE MOTION FOR STAY OF MOTION FOR DEFAULT JUDGMENT UNTIL ORDER ISSUES ON APPEAL OF SIMILAR SITUATION; BRIEF IN SUPPORT

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Hammett"), in pro se, and for her Reply to "Plaintiff's" Response to Hammett's Ex Parte Motion for Stay of Motion for Default Judgment Until Order Issues on Appeal of Similar Situation states as follows:

1. Hammett filed and thereby served her Ex Parte Motion for Stay of Motion for Default Judgment Until Order Issues on Appeal of Similar Situation on January 28, 2022.
2. As of February 14, 2022, the Court made no order on the motion for stay.
3. The Motion for Default Judgment and Response to Motion for Say of Motion for Default Judgment were both written on behalf of "Plaintiff Michael Pietrczak".
4. Hammett knows no one named "Michael Pietrczak". She has informed attorney William White and this Court numerous times that "Michael Pietrczak" is a non-legal alias of "Micheal Pietrczak".
5. Micheal Pietrczak was incarcerated in Federal Prison in 2008 after pleading guilty to using a fake identification at the U.S.A. – Mexico Border. A copy of transcript pages showing Mr. Pietrczak testifying under penalty of perjury that he pled guilty to using a fake ID at the border can be provided to help jog Mr. Pietrczak's memory if a hearing is held in these proceedings.

6. It is important that Mr. Pietrczak be identified properly, in case he is prosecuted for committing fraud on Laura Lynn Hammett or this Court in connection with the prosecution of this case. Micheal Pietrczak was newly released from Prison and had $3.71 available to use and thousands of dollars in debt when he met Hammett, "borrowed" or stole Hammett's assets to purchase the Lick Fork Property and is now trying to Sue Hammett in order to keep the "borrowed" or stolen assets plus anything else the Court is willing to transfer from Hammett to the Pietrczaks and attorney William Z. White.

7. The plaintiff named in the complaint in this matter is "Walter Pietrczak – Power of Attorney for Micheal Pietrczak". It is not allowable to amend a party name without leave of the Court. If Counsel filed a motion for leave to amend the party name, it must be denied, as the time to amend party name is limited to the time allowed by ARCP Rule 4(i), 120 days. An amendment of plaintiff would not relate back to filing of the complaint, and therefore all causes of action were alleged to have happened outside the statute of limitations.

8. If the response was filed on behalf of a proper plaintiff, it still fails as a matter of law.

9. The response is a list of admissions and denials to "allegations" in the motion.

10. "All motions required to be in writing and any responses and replies shall include a brief supporting statement of the factual and legal basis for

the motion, response, or reply and the citations relied upon." *Rule 7 - Pleadings and Motions*, Ark. R. Civ. P. 7

11. The response is devoid of any support and citation to authorities and is therefore meaningless.

12. By failing to properly oppose the motion, the plaintiff has waived his arguments.

Wherefore Laura Lynn Hammett asks the Court to Stay the Motion for Default Judgment against the Rural Revival Living Trust file stamped on January 14, 2022 until the Appellate case CV-21-349 - RICHARD GAWENIS V ZELDA WALLS LIVING TRUST is decided.

Submitted February 15, 2022.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road

Conway, Arkansas 72032

(760) 966-6000

Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on February 15, 2022, I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's Reply to Response to Motion for Stay of Motion for Default Judgment Until Order Issues on Appeal of Similar Situation with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

February 15, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT v.**
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

HAMMETT'S OBJECTION TO PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR DEFAULT JUDGMENT AND DEMAND FOR DAMAGES AGAINST DEFENDANT RURAL REVIVAL LIVING TRUST

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett (Herein referred to as "Hammett"), in pro se, and for her OBJECTION TO PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR DEFAULT JUDGMENT AND DEMAND FOR DAMAGES AGAINST DEFENDANT RURAL REVIVAL LIVING TRUST states as follows:

1. On February 14, 2022, attorney William Z. White filed what he named PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR DEFAULT JUDGMENT AND DEMAND FOR DAMAGES AGAINST DEFENDANT RURAL REVIVAL LIVING TRUST.
2. If the document is actually a reply to the defendant's response to the plaintiff's motion for default judgment against the Rural Revival Living Trust, as discussed further below, then the reply is not timely.
3. The response was filed and served on January 31, 2022.
4. Any reply was due by February 7, 2022. ARCP Rule 6.
5. Especially in light of the Court's letter dated August 19, 2021 and filed August 20, 2021, plaintiff's counsel must be held to the rules of civil procedure.
6. Plaintiff's counsel has been maliciously prosecuting Hammett since 2018, and so any delay should be considered prejudicial. (One observer who read through the docket used the word "sadistical" to describe the litigation.)
7. The "response" was written on behalf of "Plaintiff Michael Pietrczak".

8. Hammett knows no one named "Michael Pietrczak". She has informed attorney William White and this Court numerous times that "Michael Pietrczak" is a non-legal alias of "Micheal Pietrczak".

9. Micheal Pietrczak was incarcerated in Federal Prison in 2008 after pleading guilty to using a fake identification at the U.S.A. – Mexico Border. A copy of transcript pages showing Mr. Pietrczak testifying under penalty of perjury that he pled guilty to using a fake ID at the border can be provided to help jog Mr. Pietrczak's memory if a hearing is held in these proceedings.

10. It is important that Mr. Pietrczak be identified properly, in case he is prosecuted for committing fraud on Laura Lynn Hammett or this Court in connection with the prosecution of this case. Micheal Pietrczak was newly released from Prison and had $3.71 available to use and thousands of dollars in debt when he met Hammett, "borrowed" or stole Hammett's assets to purchase the Lick Fork Property and is now trying to sue Hammett in order to keep the "borrowed" or stolen assets plus anything else the Court is willing to transfer from Hammett to the Pietrczaks and attorney William Z. White.

11. The plaintiff named in the complaint in this matter is "Walter Pietrczak – Power of Attorney for Micheal Pietrczak". It is not allowable to amend a party name without leave of the Court. If Counsel filed a motion for leave to amend the party name, it must be denied, as the time to amend party name is limited to the time allowed by ARCP Rule 4(i), 120 days. An amendment of plaintiff would not relate back to filing of the

complaint, and therefore all causes of action were alleged to have happened outside the statute of limitations.

12. If the response was filed on behalf of a proper plaintiff, it still fails as a matter of law.

13. No defendant in this case filed a motion for default judgment since July 13, 2021. Plaintiff responded to that motion for default on July 30, 2021, which was late.

14. Plaintiff filed a motion for default judgment on January 14, 2022.

15. Hammett as an individual interpleaded in response to the motion for default judgment on January 31, 2022, in order to alert the Court, among other issues, that granting the default judgment against Rural Revival Living Trust would put Hammett's property rights at risk. The indigent Pietrczaks would be able to dispose of the property in what Hammett alleges would be a fraudulent transfer and Hammett would not be able to recover her assets after appealing the orders of this Court, because the assets would be hidden, probably in a sham shell entity.

16. Hammett's response was 100 paragraphs.

17. The PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR DEFAULT JUDGMENT AND DEMAND FOR DAMAGES AGAINST DEFENDANT RURAL REVIVAL LIVING TRUST is a list of admissions and denials to 100 paragraphs, so a good assumption is that attorney William Z. White, who appears to be incompetent and perhaps abusing substances, misnamed the reply to Defendant's response to Plaintiff's motion for default judgement.

18. "All motions required to be in writing and any responses and replies shall include a brief supporting statement of the factual and legal basis for the motion, response, or reply and the citations relied upon." *Rule 7 - Pleadings and Motions*, Ark. R. Civ. P. 7

19. The reply is devoid of any support and citation to authorities and is therefore meaningless.

20. By failing to properly oppose the arguments and citations to authority in Hammett's brief in support of her response to the plaintiff's motion for default judgment, the plaintiff has waived his arguments.

21. For the reasons given in the 100 paragraph response to the plaintiff's motion for default judgment, incorporated herein as if fully se forth, Hammett asks the Court to deny the motion.

Wherefore Laura Lynn Hammett objects to the mislabeled and legally insufficient reply in support of plaintiff's motion for default judgment and asks the Court to treat the reply as an admission and agreement with the response in opposition to the motion for default and therefore deny the plaintiff's motion.

Submitted February 15, 2022.

/s/ Laura Lynn Hammett

Laura Lynn Hammett, Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road

Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on February 15, 2022, I electronically filed the Separate Defendant Laura Lynn (now Hammett's) and Counterclaimant Laura Lynn Hammett's OBJECTION TO PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR DEFAULT JUDGMENT AND DEMAND FOR DAMAGES AGAINST DEFENDANT RURAL REVIVAL LIVING TRUST with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

February 15, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

ELECTRONICALLY FILED
Searcy County Circuit Court
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2022-Feb-25 16:03:08
65CV-21-20
C20D01 : 4 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST AND LAURA LYNN HAMMETT **DEFENDANT**

ORDER ADDRESSING PENDING MOTIONS

Comes now the Court, based on the pleadings filed of record, statements of counsel (if any), and all other matters before it, the Court finds and orders as follows:

1. On August 24, 2021, the Defendant filed a Motion to Strike Untimely Responses to Requests for Admissions. For the same reasons stated in the Order filed on August 20, 2021, the motion is denied.

2. On August 24, 2021, the Defendant filed a Motion for Reconsideration of Order to Strike. The Court has considered the motion. However, for the same reasons stated in the Order to Strike filed on August 20, 2021, the motion is denied.

3. On August 27, 2021, the Defendant filed a Motion for Summary Judgment. For two reasons, the motion is denied. First, summary judgment is a remedy that should be granted only when there are no genuine issues of material fact to litigate and when the case can be decided as a matter of law. *Smith v. St. Paul Fire & Marine Ins. Co*., 2001, 64 S.W.3d 764, 76 Ark. App. 264. Neither of these elements are present here. Second, the motion is supported by nothing more than two of the Plaintiff's boilerplate responses to the Defendant's Requests for

Admissions ("RFAs"). As the Defendant is aware, these RFAs were voided on August 20, 2021. Accordingly, the Defendant's Motion for Summary Judgment is denied.

4. On August 28, 2021, the Defendant filed a Motion to Settle the Record. The Court finds that the transcript from the hearing held on August 4, 2021, is accurate and that the Defendant's allegations are meritless. Therefore, the motion is denied.

5. On August 31, 2021, the Defendant filed a Motion for Reconsideration of an Order filed on August 20, 2021. The Court has considered the motion. However, for the same reasons stated in the Order filed on August 20, 2021, the motion is denied.

6. On September 16, 2021, the Plaintiff filed a Motion to Strike the Defendant's Motion for Summary Judgment. The Defendant served the Motion for Summary Judgment via email on August 27, a Friday. Thus, under Ark. R. Civ. P. 6(a), the clock began to run the following Monday, August 30. Rule 6(c) gave the Plaintiff ten days to respond, and Rule 6(d) gave the Plaintiff an additional three days because the Motion was served via email. Therefore, the Plaintiff had a total of 13 days to respond. Because this amount is less than 14 days, weekends are not included in the computation of time. Ark. R. Civ. P. 6(a). Accordingly, the response was due on September 15. The Plaintiff served his response on September 16. Thus, the Plaintiff's Motion to Strike was untimely and is therefore denied.

7. On September 28, 2021, the Plaintiff filed a Motion for Examination. Because such examinations are highly invasive, a party's mental or physical condition must be *in controversy* before the Court may order an examination. Ark. R. Civ. P. 35(a). The "controversy" requirement is satisfied when the party's mental or physical condition is a key issue in the case. *See*, *Schlagenhauf v. Holder*, 379 U.S. 104 (1964). Here, the Defendant's mental condition is not an issue in the case. Accordingly, the Court finds that the Defendant's

mental condition is not "in controversy" as a matter of law. Therefore, the Plaintiff's Motion for Examination is denied.

8. On September 9, 2021, the Defendant filed a Motion to Quash. The motion is denied. The Defendant must comply with the discovery request within ten (10) days from the entry of this Order.

9. On October 7, 2021, the Defendant filed a Motion to Dismiss, alleging that the Complaint and Summons are incorrectly captioned because they failed to include the Plaintiff's power-of-attorney, Walter Pietrczak. As power-of-attorney, Walter is Michael's agent. Ark. Code Ann. § 28-68-102(7). As an agent, Walter has actual authority to stand in the place of the principal, Michael. *Id*. Because Walter is acting on behalf of Michael, Walter is not a party to this case, and it would be incorrect to include him in the caption of the Complaint and Summons. Accordingly, the Defendant's Motion to Dismiss is denied.

10. On October 8, 2021, the Defendant filed a Motion to Strike, alleging that the Summons issued to Rural Revival Trust is void because it failed to list Laura Lynn Hammett as trustee. The Defendant repeated these arguments in a Motion to Dismiss filed on December 29, 2021. In these motions, the Defendant argues by virtue of omitting the word "Trustee" after her name on the summons, she was actually served as an individual—not as the trustee of Rural Revival Trust. Here, the Court finds *In Re Hamilton Living Trust*, 571 S.W.3d 53, 59 (Ark. App. 2019) to be instructive. First, there is no requirement under Ark. R. Civ. P. 4 or otherwise that the summons identify the trustee of the Trust, and the Defendant cites none. Second, the Supreme Court of Arkansas rejects interpretations of Rule 4 that "defy common sense and produce absurd results." *E.g.*, *Nucor v. Kilman*, 358 Ark. 107, 122, 186 S.W.3d 720, 729 (2004). Because it is undisputed that Laura Lynn Hammett is the trustee of the Rural Revival Trust,

granting the motion would lead to an absurd result. Therefore, the Defendant's Motion to Strike and Motion to Dismiss are denied.

11. On December 22, 2021, the Defendant filed a Motion to Compel Discovery. The Plaintiff neither produced the requested documents nor responded to the Motion to Compel. Pursuant to Ark. R. Civ. P. 37(a), the Court grants the motion and orders the Defendant to comply with the discovery requests within ten (10) days from the entry of this Order.

12. On January 14, 2022, the Plaintiff filed a Motion to Deem Service Perfected. The Court finds that the Plaintiff served Rural Revival Trust within the 120 day extension order on August 4, 2021. For the reasons discussed in paragraph 10, the Court finds that the Summons is proper, and that service of Rural Revival Trust is valid under the Arkansas Rules of Civil Procedure. Therefore, the Plaintiff's Motion to Deem Service Perfected is granted.

IT IS SO ORDERED



Judge Susan K. Weaver

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65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST AND LAURA LYNN HAMMETT **DEFENDANT**

ORDER DENYING SECOND MOTION TO RECUSE

1. On September 23, 2021, the Defendant filed her first Motion to Recuse, alleging that the Court fraudulently altered the transcript that detailed a hearing held via Zoom on August 4, 2021.

2. In this motion, the Defendant attempted to pressure the Court into granting the recusal by threatening me, personally, with federal litigation. *See*, Motion to Recuse, at ¶ 8.

3. On September 24, 2021, the Court denied the motion for the following reasons:

    a. The Defendant failed to hurdle her substantial burden of proving bias. *Duty v. State*, 45 Ark. App. 1, 871 S.W.2d 400 (1994);

    b. The Court has no personal, professional, or pecuniary interest in the outcome of the case; and

    c. The judge has been, and can continue to be, fair and impartial to all involved parties in this case.

4. Three days later, the Defendant filed a federal complaint in the Eastern District of Arkansas against me, personally, as well as the court reporter, Jana Perry, and the Plaintiff's counsel, Zac White. *Hammett v. Weaver et. al*., 4:21-cv-857-BRW.

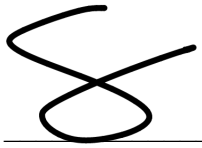
5. The federal complaint made the same allegations as the first Motion to Recuse. *See*, *id*.

6. On September 27, 2021, the same day the Defendant filed the federal suit, she filed her Second Motion to Recuse. This motion cited the federal suit as a conflict of interest that justified a recusal.

7. Typically, when a party to a case is litigating against the presiding judge in a separate proceeding, recusal is warranted. However, it is well-established that a party cannot *create* a conflict of interest for the purpose of obtaining a recusal. *E.g.*, *Smith v. State*, 296 Ark. 451, 757 S.W.2d 554 (1988); *Korolko v. Korolko*, 33 Ark. App. 194, 803 S.W.2d 948 (1991); *Keene v. State*, 56 Ark. App. 42, 938 S.W.2d 859 (1997); *Seeco, Inc., et al. v. Hales*, 334 Ark. 134, 139, 969 S.W.2d 193, 196 (1998).

8. The Court finds that the Defendant sought to create a conflict of interest for the purpose of obtaining a recusal. Accordingly, the Defendant's Second Motion to Recuse is denied.

IT IS SO ORDERED.



Judge Susan K. Weaver

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2022-Mar-02 10:48:40
65CV-21-20
C20D01 : 1 Page

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST AND LAURA LYNN HAMMETT **DEFENDANT**

ORDER GRANTING DEFAULT JUDGMENT

Comes now the Court, after reviewing the Plaintiff's Motion for Default Judgment, does find and order as follows:

1. Service on the Defendant, Rural Revival Trust, was perfected on October 12, 2021.

2. Under Ark. R. Civ. P. 55(a), when a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by the Arkansas Rules of Civil Procedure, judgment by default may be entered by the court.

3. The Defendant, Rural Revival Trust, has failed to plead or otherwise appear in this action. Therefore, the Plaintiff's Motion for Default Judgment is granted.

4. To calculate damages, the Court orders a hearing on March 17, 2022 at 8:30 a.m. at Searcy County Court Annex (Paul V. Jones Annex), Courthouse Square, Marshall, Arkansas, 72650.

IT IS SO ORDERED.

Judge Susan K. Weaver

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65CV-21-20
C20D01 : 7 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION FOR STAY OF PROCEEDINGS

EXHIBIT A

VITAMIN D 25 OH - Details

Conway Location - 625
United Drive A
605 United Drive
Conway AR 72032-7826

Hammett, Laura
MRN: 03356699, DOB: 8/14/1962, Sex: **F**
Visit date: 3/4/2022

Results

Vitamin D 25 OH (Order 368132203)

(D Vitamin D 25 OH

Order: 368132203

Status : **Final result**

Component	3/4/22 9:03 AM
Vitamin D, 25-0H, Total	**22. 8 v**
30.0 - 80.0 ng/mL	

Comment:

REFERENCE INTERVAL:

	Vitamin D Status	25 OH Vitamin D
0-17 years:	Deficiency	< 20 ng/mL
	Optimum level	>/= 20 ng/mL
18 years and older:	Deficiency	< 20 ng/rnL
	Insuffi ciency	20-29 ng/rnL
	Optimum level	30-80 ng/rnL

Specimen Collected: 03/04/22 9:03 AM

Last Resulted : 03/04/22 6:01 PM

Result Information

Flag: **Abnormal** !

Status: Final result (Collected: 3/4/2022 9:03 Provider Status: Ordered **AM)**

Lab Information

Lab
QUEST
No contact information on file

Specimen Date Taken	Specimen Time Taken	Specimen Received Date	Specimen Received Time	Result Date	Result Time
Mar 4, 2022	9:03 AM	Mar 4, 2022	3:26 PM	Mar 4, 2022	6:01 PM

MyChart ® li censed from Epic Systems Corporat ion © 1999 - 2022

COMPREHENSIVE METABOLIC PANEL- Details

Hammett, Laura
MRN: E2805206, DOB: 8/14/1962, Sex: **F**
Visit date: 3/4/2022

Results

Comprehensive metabolic panel (Order 368132202)

(D Comprehensive metabolic panel

Order : 368132202

Status : **Final result**

Component	3/4/22 9:03 AM
Glucose 7.!J_ - 105_mg/di	92
BUN :8 - 20.1 mg/di	20
Creatinine Q27 - :!:_11_mg/di	0.80
GFR Non - African American >60 ml/min/1.73m2	73
Comtnent: The National Kidney Foundation recommends reporting eGFR values above 60 ml/min as >60. An eGFR of >60 ml/min is considered normal or near normal kidney function. Estimated eGFR values from 61 ml/min - 120 ml/min will also be reported.	
EGFR African American >60 ml/min/1.73m2	89
Comment: The National Kidney Foundation recommends reporting eGFR values above 60 ml/min as >60. An eGFR of >60 ml/min is considered normal or near normal kidney function. Estimated eGFR values from 61 ml/min - 120 ml/min will also be reported. The estimated GFR is obtained using the modified MDRD Study equation. The MDRD Study equation has not been validated for use with the elderly (over 70 yrs of age), pregnant women, patients with serious comorbid conditions, or persons with extremes of body size, muscle mass or nutritional status.	
BUN/Creatinine Ratio 8 - 20	25.QA
Sodium 36 - !i5 meqll	142
Potassium .5_::..5.1 meq/L	4.1
Chloride - 1.Q7 meq/L	104

CO2	26.0	
22 - 29 meq/L		
Calcium	9.7	
1 4 - 10.2 mg/di		
Protein, Total	7.5	
_?.4 - 8.3 g/dl		
Albumin	4.5	
1_5 - 5._? g/dl		
Globulin	3.0	
_0 -1: 5 g/dl		
Alb/Globulin Ratio	1.5	
1.1 - 1.8		
Bilirubin, Total	**2.4** A	
0.2 - 1. mg/di		
Alkaline Phosphatase	72	
40 - 1J 0 IU/L		
AST	20	
5 - 3_i IU/L		
ALT	13	
0 - 55 IU/L		

Specimen Collected: 03/04/22 9:03 **AM** Last Resulted: 03/04/22 6:01 PM

Result Information

Flag: **Abnormal** ! Status : Final result (Collected : 3/4/2022 9:03 Provider Status : Ordered **AM)**

Lab Information

Lab
QUEST
No contact information on file

Specimen Date Taken	Specimen Time Taken	Specimen Received Date	Specimen Received Time	Result Date	Result Time
Mar 4, 2022	9:03 AM	Mar 4, 2022	3:26 PM	Mar 4, 2022	6:01 PM

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CBC WITH DIFFERENTIAL- Details

Hammett, Laura
MRN : E2805206, DOB: 8/ 14/ 196 2, Sex: F
Visit date: 3/4/2022

Results

CBC and Diff erential (Order 368132201)

(1) CBC and Differential

Order: 368132201

Status: **Final result**

Component Ref Range & Units	3/4/22 9:03 AM
WBC 5.0 - 10.0 K/cmm	8.5
RBC 4.10 - 5.00 M/cmm	4.59
Hemoglobin 12.0 =---16.0 g/dl	13.3
Hematocrit 36.0 - 48.0 %	41.9
MCV 80 - 100 fl	91
MCH 27.0 -} 1..Q pg	29
MCHC 32.0 - 6.0 g/dl	32
Platelets 150 -400 K/cmm	243
RDW 11.5 - 14.5 %	12.7
MPV 7.5 - 12.5 fl	11.4
Neutrophils % 50.0 - 70.0 %	**87 A**
Lymphocytes % 20.0 - 35.0 %	**8v**
Monocytes % 2.0 - 8.0 %	4
Eosinophils % 2.0 - 5.0 %	**lv**
Basophils % 0 - 1 %	0
Absolute Neutrophils 1,500 - 8,000 cell/ul	7,300.0
Absolute Lymphocytes 1,000 - 5,000 cell/ul	700.0 v
Absolute Monocytes	

200 - 1,000 cell/uL	300.0
Absolute Eosinophils	100.0
..li- §_00 cells / uL	
Absolute Basophils	0.0
0 - 0 ells/ uL	
Nucleated RBC	0
Q.: 1 /1Q0 WBC	
? !ff en i l Type	Automated differential performed.
Immature Granulocytes Percent	0.0
Automated	
0.00 - 0.54 %	

Specimen Collected : 03/04/22 9:03 AM Last Resulted : 03/04/22 6:01 PM

Result Information

Flag : **Abnormal** ! Status : Final result (Collected: 3/4/2022 9:03 AM) Provider Status : Ordered

Lab Information

Lab
QUEST
No contact information on file

Specimen Date Taken	Specimen Time Taken	Specimen Received Date	Specimen Received Time	Result Date	Result Time
Mar 4, 2022	9:03 AM	Mar 4, 2022	3:26 PM	Mar 4, 2022	6:01 PM

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C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION FOR STAY OF PROCEEDINGS

FILED UNDER SEAL

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Lynn"), in pro se, and for her Motion for Stay of Proceedings, states as follows:

1. Laura Lynn Hammett is ill and cannot stay upright for long. Because she is self-represented, it will be difficult to generate work required.
2. There are indications that Hammett may have blood cancer or leukemia. Her immune system is compromised and her stress level is through the roof. (see the blood work from March 4, 2022 attached as exhibit A.)
3. Hammett has high neutrophils, low lymphocytes, low eosinophils, low absolute lymphocytes, a vitamin D deficiency, high bilirubin and high BUN/creatinine.
4. Hammett has not eaten solid food for over 36 hours. She drank carrot juice on the afternoon of March 4, 2022 and vomited it up.
5. Hammett has to take breaks from work after a few minutes and should probably just rest.
6. Hammett went to Legal Aid in hopes of having them represent her, and though she qualifies for the low-income assistance, they said there was a conflict of interest because they looked at the case for Micheal Pietrczak. (Legal Aid apparently decided not to file suit for Mr. Pietrczak, as did his other attorney, Billy Jack Gibson (now Judge Gibson).)

WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays that the proceedings be stayed briefly until Hammett can sit up for extended periods and eat and drink more than a few sips of water without vomiting; and her physician verifies there is no blood cancer or leukemia.

March 5, 2022

Respectfully submitted,

CERTIFICATE OF SERVICE

I hereby certify that, on March 5, 2022 I emailed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Motion for Stay of Proceedings to attorney William Z. White.

March 5, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

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65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION TO FILE MOTION FOR STAY OF PROCEEDINGS UNDER SEAL

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Lynn"), in pro se, and for her Motion to File Motion for Stay of Proceedings Under Seal, states as follows:

1. The motion for stay of proceedings is due to health issues and includes confidential medical reports.
2. Nothing in the motion is pertinent to the merits of the case and is therefore not something the public should have access to.

WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays that her motion for stay of proceedings be filed under seal.

March 5, 2022

Respectfully submitted,

CERTIFICATE OF SERVICE

I hereby certify that, on March 5, 2022 I electronically filed the Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett's Motion for Stay of Proceedings with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

March 5, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000

Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

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2022-Mar-09 16:51:13
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK **PLAINTIFF**

v.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

SEPARATE DEFENDANT LAURA LYNN HAMMETT'S OBJECTION TO ORDER GRANTING DEFAULT JUDGMENT AGAINST RURAL REVIVAL LIVING TRUST ISSUED MARCH 2, 2022 AND MOTION

Comes Laura Lynn Hammett, as an individual, but who is also Trustee of the Rural Revival Living Trust, who states:

1. The Court, Judge Susan Kaye Weaver presiding, entered an order granting Default Judgment for "Plaintiff Michael Pietrczak" on March 2, 2022.
2. Laura Lynn Hammett as an individual reaffirms all previous objections and arguments for appeal.

3. The present order states that service was perfected on October 21, 2021.
4. As previously pled, Deputy Sheriff Ezra Pierce, whose name appears on the affidavit of service filed January 14, 2022, notarized by Plaintiff's attorney William White's staff member, did not see, speak to or hand anything to Laura Lynn Hammett on October 12, 2021.
5. Hammett requests the Court command Deputy Pierce to attend the hearing on March 17, 2022 in order to have him swear under penalty of perjury that his sworn affidavit is accurate.
6. Further, Hammett was vomiting on March 4, 2022 and is still ill. She is under quarantine until March 18, 2022. To comply with the Court's order to appear and to protect her individual rights to the property known as 9985 Lick Fork Road, Witts Spring, Arkansas, 72686, Hammett will attend the hearing, but thinks the Court is risking people's health by holding the hearing in person while one party may still be infected by an unknown virus.
7. Further, Hammett demands a jury to decide damages.

WHEREFORE, Separate Defendant Laura Lynn Hammett as an individual, prays the Court will summons Sheriff Deputy Ezra Pierce to testify to the authenticity of the affidavit; either hold proceedings remotely or set the hearing out to when the unrepresented party will not be infectious; and provide Hammett her Constitutional right to have the matter of damages heard by a jury of her peers.

March 9, 2022

Respectfully submitted,

/S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on March 9, 2022 I electronically filed **SEPARATE DEFENDANT LAURA LYNN HAMMETT'S OBJECTION TO ORDER GRANTING DEFAULT JUDGMENT AGAINST RURAL REVIVAL LIVING TRUST ISSUED MARCH 2, 2022 AND MOTION**

with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

March 9, 2022

/S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-09 17:07:46
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK **PLAINTIFF**

v.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

SEPARATE DEFENDANT LAURA LYNN HAMMETT'S OBJECTION TO ORDER GRANTING DEFAULT JUDGMENT AGAINST RURAL REVIVAL LIVING TRUST ISSUED MARCH 2, 2022 AND MOTION

(Amended for Typo)

Comes Laura Lynn Hammett, as an individual, but who is also Trustee of the Rural Revival Living Trust, who states:

1. The Court, Judge Susan Kaye Weaver presiding, entered an order granting Default Judgment for "Plaintiff Michael Pietrczak" on March 2, 2022.

2. Laura Lynn Hammett as an individual reaffirms all previous objections and arguments for appeal.
3. The present order states that service was perfected on October 12, 2021.
4. As previously pled, Deputy Sheriff Ezra Pierce, whose name appears on the affidavit of service filed January 14, 2022, notarized by Plaintiff's attorney William White's staff member, did not see, speak to or hand anything to Laura Lynn Hammett on October 12, 2021.
5. Hammett requests the Court command Deputy Pierce to attend the hearing on March 17, 2022 in order to have him swear under penalty of perjury that his sworn affidavit is accurate.
6. Further, Hammett was vomiting on March 4, 2022 and is still ill. She is under quarantine until March 18, 2022. To comply with the Court's order to appear and to protect her individual rights to the property known as 9985 Lick Fork Road, Witts Spring, Arkansas, 72686, Hammett will attend the hearing, but thinks the Court is risking people's health by holding the hearing in person while one party may still be infected by an unknown virus.
7. Further, Hammett demands a jury to decide damages.

WHEREFORE, Separate Defendant Laura Lynn Hammett as an individual, prays the Court will summons Sheriff Deputy Ezra Pierce to testify to the authenticity of the affidavit; either hold proceedings remotely or set the hearing out to when the unrepresented party will not be infectious; and provide Hammett her Constitutional right to have the matter of damages heard by a jury of her peers.

March 9, 2022

Respectfully submitted,

/S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on March 9, 2022 I electronically filed **SEPARATE DEFENDANT LAURA LYNN HAMMETT'S OBJECTION TO ORDER GRANTING DEFAULT JUDGMENT AGAINST RURAL REVIVAL LIVING TRUST ISSUED MARCH 2, 2022 AND MOTION**

with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

March 9, 2022

/S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-11 14:06:55
65CV-21-20
C20D01 : 18 Pages

Space Reserved for Court Filing Purposes:

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN HAMMETT **DEFENDANTS**

PIETRCZAK'S RESPONSE TO LYNN'S MOTION FOR STAY OF PROCEEDINGS AND BRIEF IN SUPPOT THEREOF

Comes now the Plaintiff, Michael Pietrczak ("Pietrczak"), via the attorney, William Z. White, who in support of this Response to Laura Lynn Hammett's ("Hammett") Motion for Stay of Proceedings alleges as follows:

1. Pietrczak denies the allegations contained within paragraph one (1) of Hammett's Motion to Stay. Pleading affirmatively, counsel for Pietrczak received an email on March 11, 2022, at 11:53 a.m. indicating that she would "be at the hearing because Judge Weaver has not changed the date to protect the health of the general population." **See Attached Exhibit 1 – Email from Hammett to White**. Further, Hammett lies to this Court indicating it has been difficult for her to generate work. Counsel for Pietrczak has received no less than two hundred and thirty-six (236) from Hammett since her doctor visit on March 4, 2022. **See Attached Exhibit 2 – Screen Shots of Communication Log**. These emails include extensive attachments, explanations, and legal arguendo.

2. Pietrczak denies the allegations contained within paragraph two (2) of Hammett's Motion to Stay. Pleading affirmatively, Hammett's "medical records" are objectionable for

this Court is risking people's health....." **See attached Exhibit 3- Lynn's Objection to Order Granting Default Judgment Against Rural Revival Living Trust Issued Mar 2, 2022 and Motion.**

2. Pietrczak denies the allegations contained within paragraph two (2) of Hammett's Motion to Stay. Pleading affirmatively, Hammett's "medical records" are objectionable for several reasons. First, they are obviously hearsay, and lack veracity. Second, the records include no prognosis or medical commentary. Third, in addition to being a lawyer Hammett now infers that she is also a medical professional capable of diagnosing herself with potentially blood cancer or leukemia.

3. Pietrczak denies the allegations contained within paragraph three (3) of Hammett's Motion to Stay.

4. Pietrczak denies the allegations contained within paragraph four (4) of Hammett's Motion to Stay.

5. Pietrczak denies the allegations contained within paragraph five (5) of Hammett's Motion to Stay.

6. Pietrczak denies the allegations contained within paragraph six (6) of Hammett's Motion to Stay.

7. Pietrczak does not object to Hammett's medical records (such that they are) being filed under seal.

8. Pietrczak denies the allegations set forth in Hammett's "WHEREFORE" paragraph in her Motion to Stay.

Respectfully Submitted on Behalf of the
Plaintiffs, Michael Pietrczak.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Friday, March 11, 22

_____
William Z. White

WZW
WILLIAM "ZAC" WHITE
ATTORNEY & COUNSELOR AT LAW

William Z. White <wzwhite@wzwhite.com>

Re: Subpoena Production

3 messages

Laura Lynn <bohemian_books@yahoo.com> Fri, Mar 11, 2022 at 11:53 AM
To: "William Z. White" <wzwhite@wzwhite.com>
Cc: Brooke Hipp <brooke@wzwhite.com>, Chris Butts <chris@wzwhite.com>

Today is the final day, according to the ARCP which state that if a time i given in days of 10 or less, weekends are not counted. The order did not say "calander days".

Regardless, as not to be found in contempt, I have done all physically possible to produce "all" items pertaining to me. Contempt must be willful.

You have every email that refers to "Mighty Mike". I'll note that half his jobs were for my family and he did not pay me anything to help him.

I am still nauseous, but I will be at the hearing because Judge Weaver has not changed the date to protect the health of the general population.

On Friday, March 11, 2022, 09:08:36 AM CST, William Z. White <wzwhite@wzwhite.com> wrote:

All of this is outside of the time you were allowed to produce discovery. 6 more days.

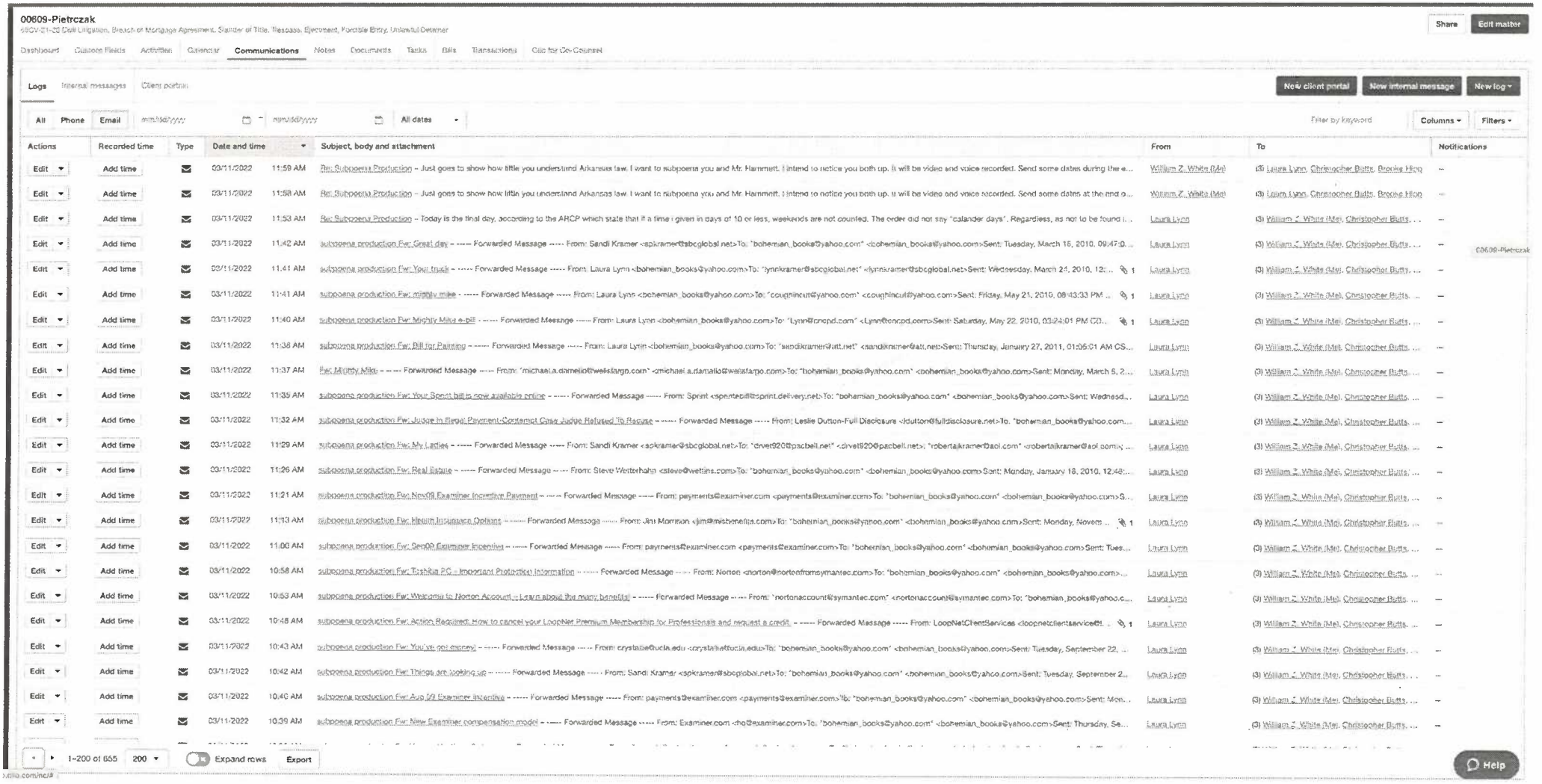
This message was sent from my iPhone. Please excuse any typographical or punctuation errors.

> On Mar 11, 2022, at 8:47 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:
>
> Mr. White and Staff,
>
> I hoped to be able to drive the paper documents to you today, but it would be dangerous for me to drive. I am still nauseous and dizzy.
>
> So, I will continue to scan what I can. My scanner's feeder does not work well. I am not a lawyer and don't have professional quality office equipment.
>
> I'll attach scans to emails.
>
> Laura Hammett

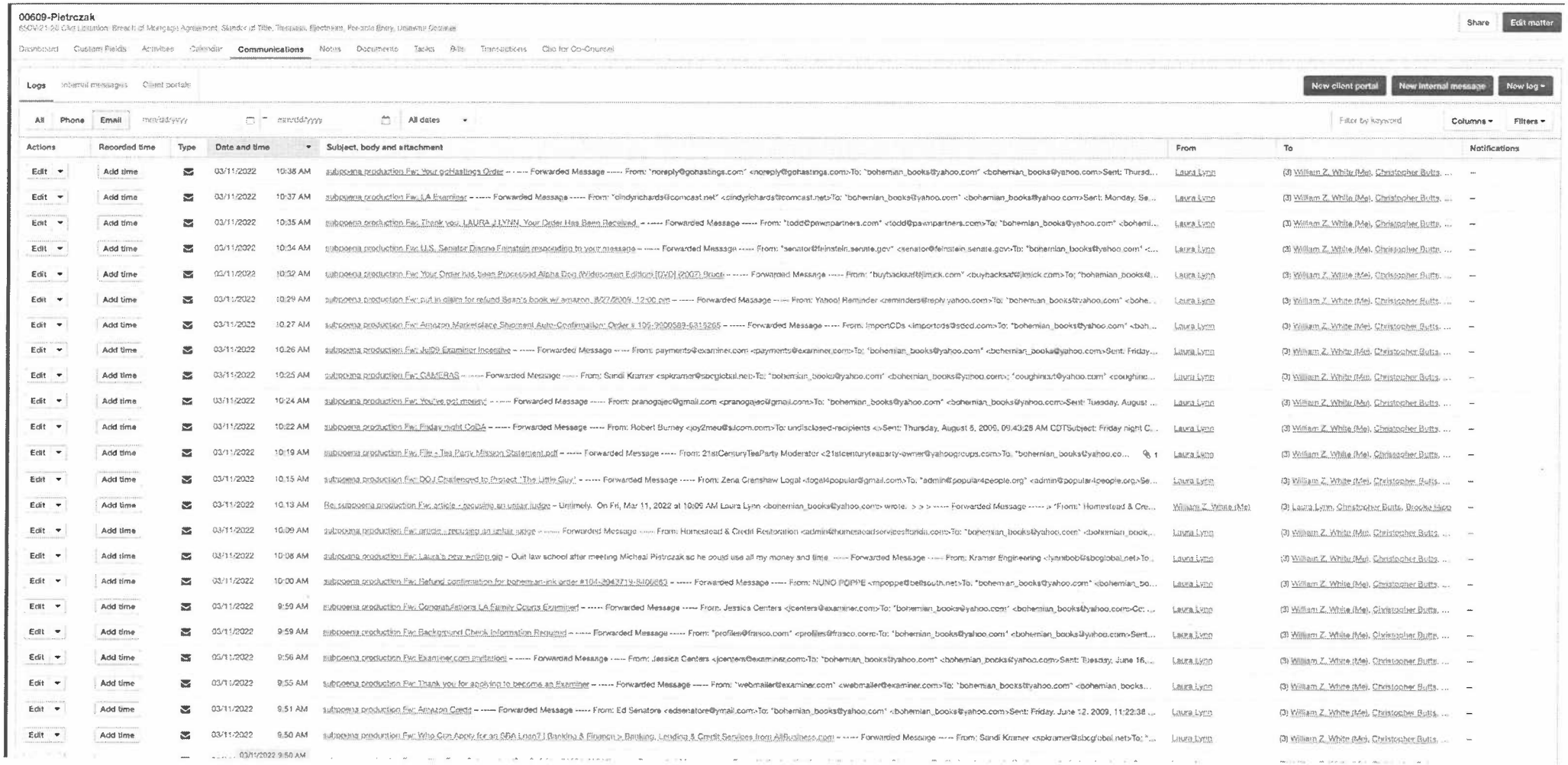


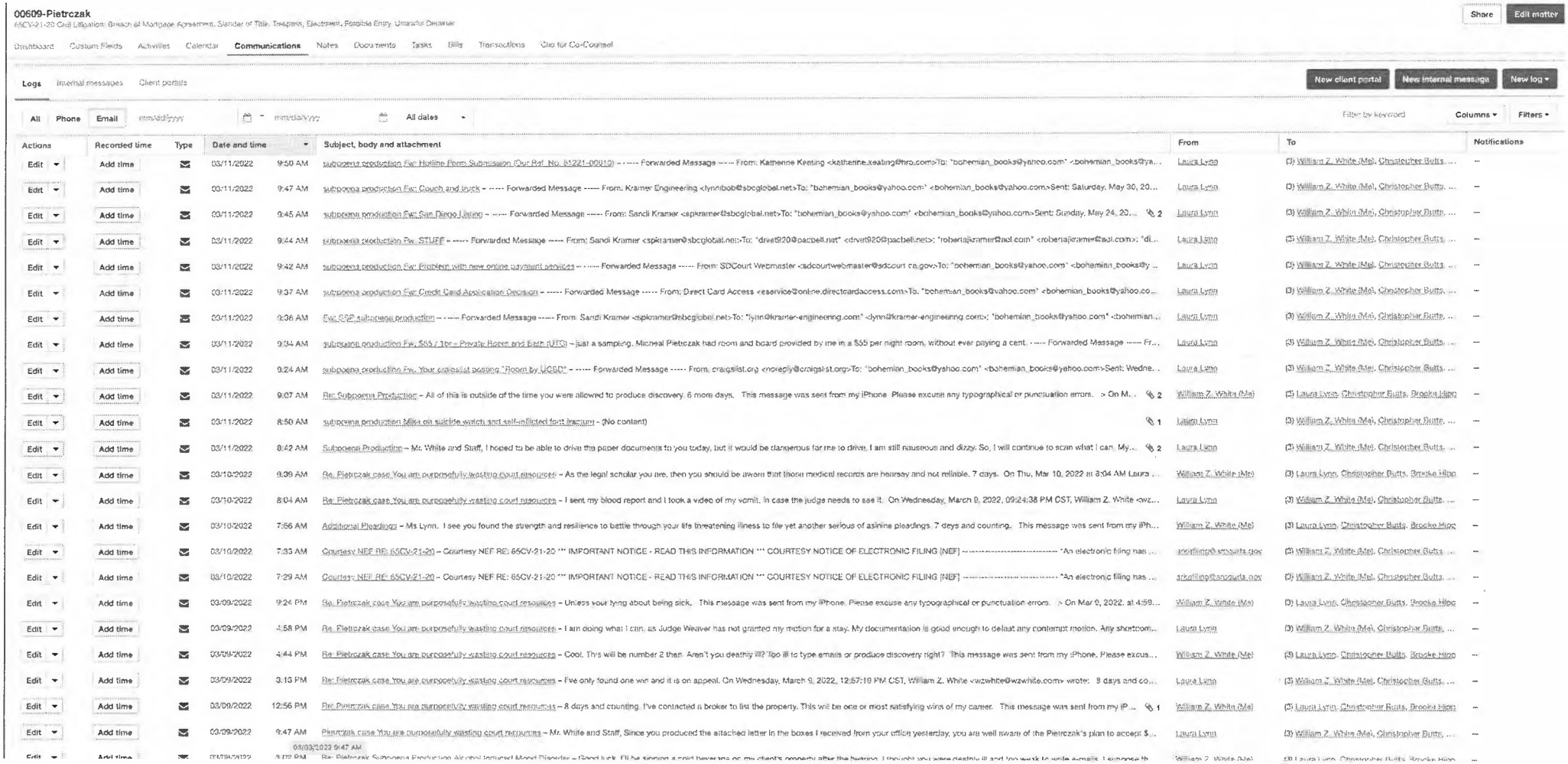
William Z. White <wzwhite@wzwhite.com> Fri, Mar 11, 2022 at 11:58 AM
To: Laura Lynn <bohemian_books@yahoo.com>
Cc: Brooke Hipp <brooke@wzwhite.com>, WZ White Law Firm <chris@wzwhite.com>

Just goes to show how little you understand Arkansas law. I want to subpoena you and Mr. Hammett. I intend to notice you both up. It will be video and voice recorded. Send some dates at the end of the month so that I can best accommodate you and your grave illness.
Regards,


00609-Pietrczak
Share
Edit matter
Dashboard
Custom Fields
Activities
Calendar
Communications
Notes
Documents
Tasks
Bills
Transactions
Ctio for Co-Counsel
Logs
Internal messages
Client portal
New client portal
New internal message
New log
All
Phone
Email
All dates
Filter by keyword
Columns
Filters
Actions
Recorded time
Type
Date and time
Subject, body and attachment
From
To
Notifications
Edit
Add time
03/11/2022
11:59 AM
Re: Subpoena Production – Just goes to show how little you understand Arkansas law. I want to subpoena you and Mr. Hammett. I intend to notice you both up. It will be video and voice recorded. Send some dates during the e...
William Z. White (Me)
(3) Laura Lynn, Christopher Butts, Brooke Hipp
11:58 AM
Re: Subpoena Production – Just goes to show how little you understand Arkansas law. I want to subpoena you and Mr. Hammett. I intend to notice you both up. It will be video and voice recorded. Send some dates at the end o...
11:53 AM
Re: Subpoena Production – Today is the final day, according to the ARCP which state that if a time i given in days of 10 or less, weekends are not counted. The order did not say "calander days". Regardless, as not to be found i...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
11:42 AM
subpoena production Fw: Great day – ----- Forwarded Message ----- From: Sandi Kramer <spkramer@sbcglobal.net>To: 'bohemian_books@yahoo.com' <bohemian_books@yahoo.com>Sent: Tuesday, March 16, 2010, 09:47:0...
11:41 AM
subpoena production Fw: Your truck – ----- Forwarded Message ----- From: Laura Lynn <bohemian_books@yahoo.com>To: 'lynnkramer@sbcglobal.net' <lynnkramer@sbcglobal.net>Sent: Wednesday, March 24, 2010, 12:...
11:41 AM
subpoena production Fw: mighty mike – ----- Forwarded Message ----- From: Laura Lynn <bohemian_books@yahoo.com>To: 'coughincut@yahoo.com' <coughincut@yahoo.com>Sent: Friday, May 21, 2010, 08:43:33 PM ...
11:40 AM
subpoena production Fw: Mighty Mike e-bill – ----- Forwarded Message ----- From: Laura Lynn <bohemian_books@yahoo.com>To: 'Lynn@cncpd.com' <Lynn@cncpd.com>Sent: Saturday, May 22, 2010, 03:24:01 PM CD...
11:38 AM
subpoena production Fw: Bill for Painting – ----- Forwarded Message ----- From: Laura Lynn <bohemian_books@yahoo.com>To: 'sandikramer@att.net' <sandikramer@att.net>Sent: Thursday, January 27, 2011, 01:05:01 AM CS...
11:37 AM
Fw: Mighty Mike – – – Forwarded Message ----- From: 'michael.a.danello@wellsfargo.com' <michael.a.danello@wellsfargo.com>To: 'bohemian_books@yahoo.com' <bohemian_books@yahoo.com>Sent: Monday, March 5, 2...
11:35 AM
subpoena production Fw: Your Sprint bill is now available online – ----- Forwarded Message ----- From: Sprint <sprintebill@sprint.delivery.net>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Wednesd...
11:32 AM
subpoena production Fw: Judge In Illegal Payment-Contempt Case Judge Refused To Recuse – ----- Forwarded Message ----- From: Leslie Dutton-Full Disclosure <ldutton@fulldisclosure.net>To: "bohemian_books@yahoo.com...
11:29 AM
subpoena production Fw: My Ladies – ----- Forwarded Message ----- From: Sandi Kramer <spkramer@sbcglobal.net>To: 'drvet920@pacbell.net' <drvet920@pacbell.net>, 'robertaljkramer@aol.com' <robertaljkramer@aol.com>; ...
11:26 AM
subpoena production Fw: Real Estate – ----- Forwarded Message ----- From: Steve Wetterhahn <steve@wettins.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Monday, January 18, 2010, 12:48:...
11:21 AM
subpoena production Fw: Nov09 Examiner Incentive Payment – ----- Forwarded Message ----- From: payments@examiner.com <payments@examiner.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>S...
11:13 AM
subpoena production Fw: Health Insurance Options – ----- Forwarded Message ----- From: Jim Morrison <jim@mistymenta.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Monday, Novem...
11:00 AM
subpoena production Fw: Sep09 Examiner Incentive – ----- Forwarded Message ----- From: payments@examiner.com <payments@examiner.com>To: 'bohemian_books@yahoo.com' <bohemian_books@yahoo.com>Sent: Tues...
10:58 AM
subpoena production Fw: Toshiba PC – Important Protected Information – ----- Forwarded Message ----- From: Norton <norton@nortonfromsymantec.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>...
10:53 AM
subpoena production Fw: Welcome to Norton Account – Learn about the many benefits! – ----- Forwarded Message ----- From: "nortonaccount@symantec.com" <nortonaccount@symantec.com>To: "bohemian_books@yahoo.c...
10:48 AM
subpoena production Fw: Action Required: How to cancel your LoopNet Premium Membership for Professionals and request a credit – ----- Forwarded Message ----- From: LoopNetClientServices <loopnetclientservices@l...
10:43 AM
subpoena production Fw: You've got money! – ----- Forwarded Message ----- From: crystals@ucla.edu <crystals@ucla.edu>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Tuesday, September 22, ...
10:42 AM
subpoena production Fw: Things are looking up – ----- Forwarded Message ----- From: Sandi Kramer <spkramer@sbcglobal.net>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Tuesday, September 2...
10:40 AM
subpoena production Fw: App 59 Examiner Incentive – ----- Forwarded Message ----- From: payments@examiner.com <payments@examiner.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Mon...
10:39 AM
subpoena production Fw: New Examiner compensation model – ----- Forwarded Message ----- From: Examiner.com <do@examiner.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Thursday, Se...
1-200 of 655
200
Expand rows
Export
Help
00609-Pietrczak


tabbies
EXHIBIT
2


00609-Pietrczak
Share
Edit matter
Dashboard
Custom Fields
Activities
Calendar
Communications
Notes
Documents
Tasks
Bills
Transactions
Clio for Co-Counsel
Logs
Internal messages
Client portals
New client portal
New internal message
New log
All
Phone
Email
All dates
Filter by keyword
Columns
Filters
Actions
Recorded time
Type
Date and time
Subject, body and attachment
From
To
Notifications
Edit
Add time
03/11/2022
10:38 AM
subpoena production Fw: Your goHastings Order
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
10:37 AM
subpoena production Fw: LA Examiner
10:35 AM
subpoena production Fw: Thank you, LAURA J LYNN, Your Order Has Been Received.
10:34 AM
subpoena production Fw: U.S. Senator Dianne Feinstein responding to your message
10:32 AM
subpoena production Fw: Your Order has been Processed Alpha Dog (Widescreen Edition) [DVD] (2007) Bruce
10:29 AM
subpoena production Fw: put in claim for refund Sean's book w/ amazon 8/27/2009, 12:00 pm
10:27 AM
subpoena production Fw: Amazon Marketplace Shipment Auto-Confirmation: Order # 105-9000589-6315265
10:26 AM
subpoena production Fw: Jed9 Examiner Incentive
10:25 AM
subpoena production Fw: CAMERAS
10:24 AM
subpoena production Fw: You've got money!
10:22 AM
subpoena production Fw: Friday night CoBA
10:19 AM
subpoena production Fw: File - Tea Party Mission Statement.pdf
10:15 AM
subpoena production Fw: DOJ Challenged to Protect 'The Little Guy'
10:13 AM
Re: subpoena production Fw: article - requiring an unfair judge
10:09 AM
subpoena production Fw: article - requiring an unfair judge
10:08 AM
subpoena production Fw: Laura's new writing gig - Quit law school after meeting Micheal Pietrczak so he could use all my money and time
10:00 AM
subpoena production Fw: Refund confirmation for bohemian-ink order #104-2943719-8106662
9:59 AM
subpoena production Fw: Congratulations LA Family Courts Examiner!
9:59 AM
subpoena production Fw: Background Check Information Required
9:56 AM
subpoena production Fw: Examiner.com invitation
9:55 AM
subpoena production Fw: Thank you for applying to become an Examiner
9:51 AM
subpoena production Fw: Amazon Card
9:50 AM
subpoena production Fw: Who Can Apply for an SBA Loan? | Banking & Finance > Banking, Lending & Credit Services from AllBusiness.com
03/11/2022 9:50 AM



00609-Pietrczak
65CV-21-20 Civil Litigation: Breach of Mortgage Agreement, Slander of Title, Trespass, Ejectment, Possible Eviry, Unlawful Detainer

Share | Edit matter

Dashboard | Custom Fields | Activities | Calendar | Communications | Notes | Documents | Tasks | Bills | Transactions | Clio for Co-Counsel

Logs | Internal messages | Client portals

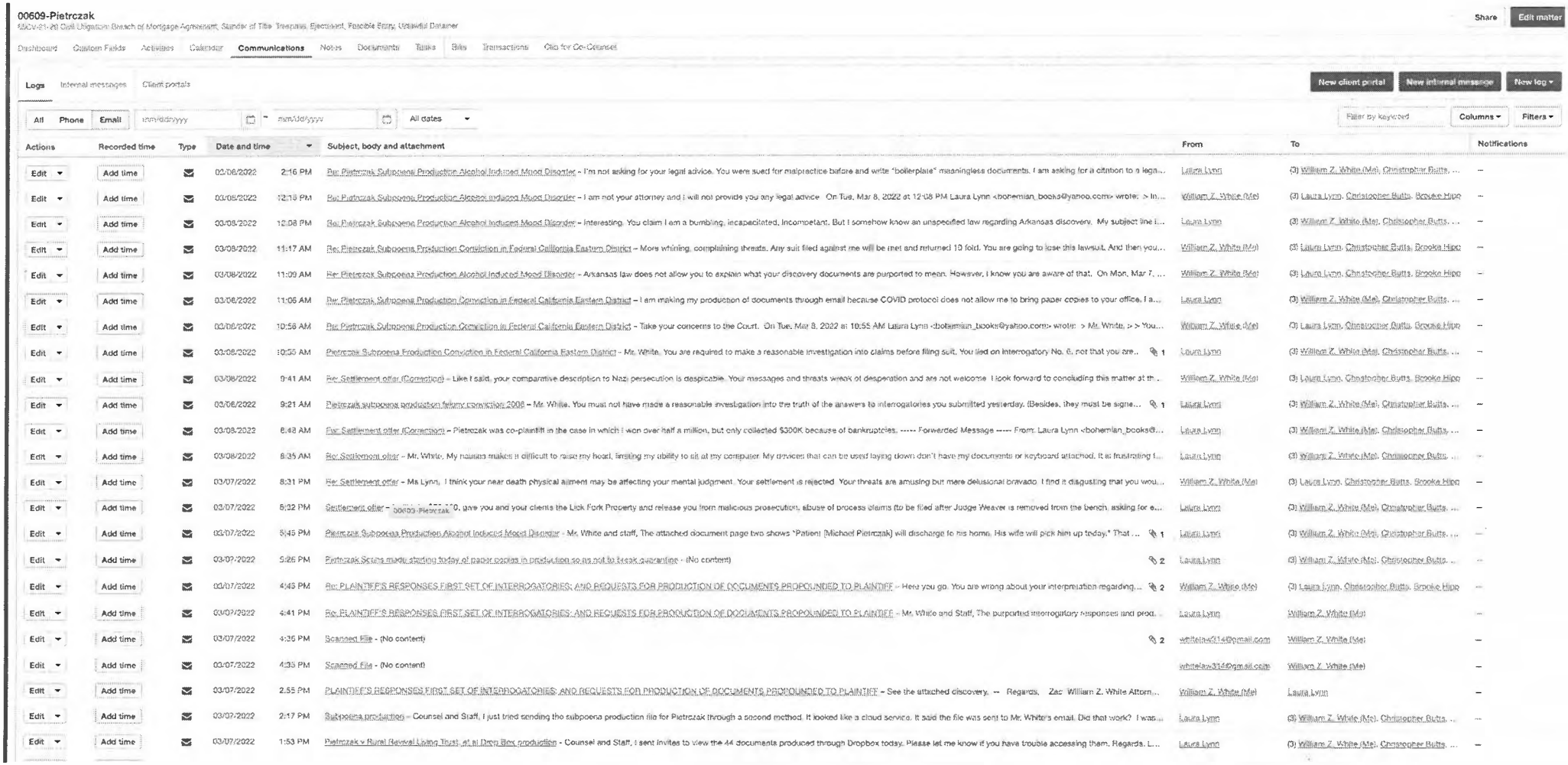
New client portal | New internal message | New log

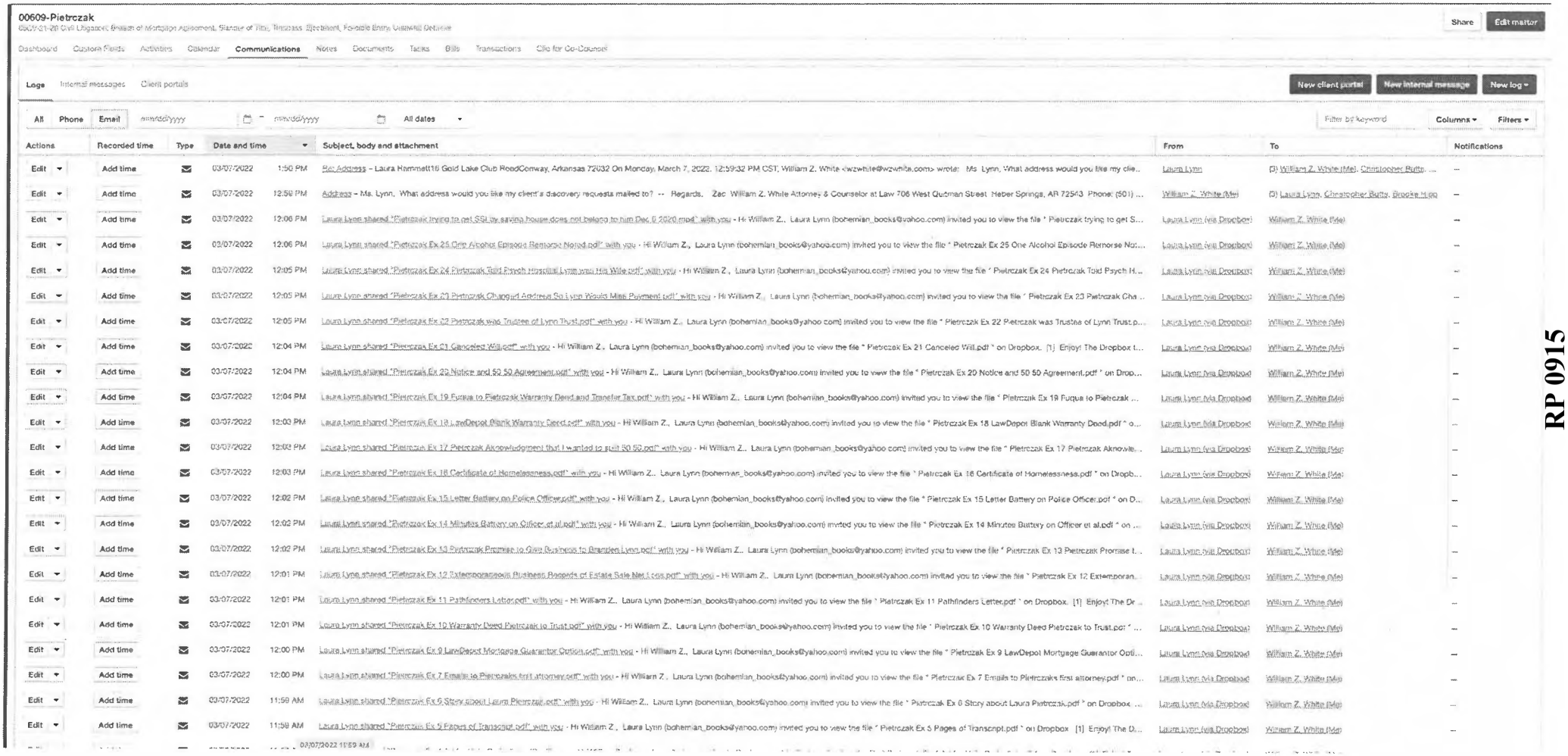
All | Phone | Email | mm/dd/yyyy – mm/dd/yyyy | All dates

Filter by keyword | Columns | Filters

Actions	Recorded time	Type	Date and time	Subject, body and attachment	From	To	Notifications
Edit	Add time		03/11/2022	9:50 AM	subpoena production Fw: Hotline from Submission (Our Ref. No. 81221-00010) – ----- Forwarded Message ----- From: Katherine Keating <katherine.keating@thro.com>To: "bohemian_books@yahoo.com" <bohemian_books@ya...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/11/2022	9:47 AM	subpoena production Fw: Couch and truck – ----- Forwarded Message ----- From: Kramer Engineering <lynnbob@sbcglobal.net>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Saturday, May 30, 20...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/11/2022	9:45 AM	subpoena production Fw: San Diego Listing – ----- Forwarded Message ----- From: Sandi Kramer <spkramer@sbcglobal.net>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Sunday, May 24, 20... 2	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/11/2022	9:44 AM	subpoena production Fw: STUFF – ----- Forwarded Message ----- From: Sandi Kramer <spkramer@sbcglobal.net>To: "drvet920@pacbell.net" <drvet920@pacbell.net>; "robertajkramer@aol.com" <robertajkramer@aol.com>; "di...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/11/2022	9:42 AM	subpoena production Fw: Problem with new online payment process – ----- Forwarded Message ----- From: SDCourt Webmaster <sdcourtwebmaster@sdcourt.ca.gov>To: "bohemian_books@yahoo.com" <bohemian_books@y...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/11/2022	9:37 AM	subpoena production Fw: Credit Card Application Decision – ----- Forwarded Message ----- From: Direct Card Access <service@online.directcardaccess.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.co...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/11/2022	9:36 AM	Fw: SSP subpoena production – ----- Forwarded Message ----- From: Sandi Kramer <spkramer@sbcglobal.net>To: "lynn@kramer-engineering.com" <lynn@kramer-engineering.com>; "bohemian_books@yahoo.com" <bohemian...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/11/2022	9:34 AM	subpoena production Fw: $55 / 1br – Private Room and Bath (UTC) – just a sampling. Micheal Pietrczak had room and board provided by me in a $55 per night room, without ever paying a cent. ----- Forwarded Message ----- Fr...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/11/2022	9:24 AM	subpoena production Fw: Your craigslist posting "Room by UCSD" – ----- Forwarded Message ----- From: craigslist.org <noreply@craigslist.org>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Wedne...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/11/2022	9:07 AM	Re: Subpoena Production – All of this is outside of the time you were allowed to produce discovery. 6 more days. This message was sent from my iPhone. Please excuse any typographical or punctuation errors. > On M... 2	William Z. White (Me)	(3) Laura Lynn, Christopher Butts, Brooke Hipp	--
Edit	Add time		03/11/2022	8:50 AM	subpoena production Mike on suicide watch and self-inflicted foot fracture – (No content) 1	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/11/2022	8:42 AM	Subpoena Production – Mr. White and Staff, I hoped to be able to drive the paper documents to you today, but it would be dangerous for me to drive. I am still nauseous and dizzy. So, I will continue to scan what I can. My... 2	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/10/2022	9:39 AM	Re: Pietrczak case You are purposefully wasting court resources – As the legal scholar you are, then you should be aware that those medical records are hearsay and not reliable. 7 days. On Thu, Mar 10, 2022 at 8:04 AM Laura ...	William Z. White (Me)	(3) Laura Lynn, Christopher Butts, Brooke Hipp	--
Edit	Add time		03/10/2022	8:04 AM	Re: Pietrczak case You are purposefully wasting court resources – I sent my blood report and I took a video of my vomit. In case the judge needs to see it. On Wednesday, March 9, 2022, 09:24:38 PM CST, William Z. White <wz...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/10/2022	7:56 AM	Additional Pleadings – Ms Lynn, I see you found the strength and resilience to battle through your life threatening illness to file yet another serious of asinine pleadings. 7 days and counting. This message was sent from my iPh...	William Z. White (Me)	(3) Laura Lynn, Christopher Butts, Brooke Hipp	--
Edit	Add time		03/10/2022	7:33 AM	Courtesy NEF RE: 65CV-21-20 – Courtesy NEF RE: 65CV-21-20 *** IMPORTANT NOTICE - READ THIS INFORMATION *** COURTESY NOTICE OF ELECTRONIC FILING (NEF) ---------- *An electronic filing has ...	eroffling@courts.gov	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/10/2022	7:29 AM	Courtesy NEF RE: 65CV-21-20 – Courtesy NEF RE: 65CV-21-20 *** IMPORTANT NOTICE - READ THIS INFORMATION *** COURTESY NOTICE OF ELECTRONIC FILING (NEF) ---------- *An electronic filing has ...	erkoffling@courts.gov	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/09/2022	9:24 PM	Re: Pietrczak case You are purposefully wasting court resources – Unless your lying about being sick. This message was sent from my iPhone. Please excuse any typographical or punctuation errors. > On Mar 9, 2022, at 4:59...	William Z. White (Me)	(3) Laura Lynn, Christopher Butts, Brooke Hipp	--
Edit	Add time		03/09/2022	4:58 PM	Re: Pietrczak case You are purposefully wasting court resources – I am doing what I can, as Judge Weaver has not granted my motion for a stay. My documentation is good enough to defeat any contempt motion. Any shortcom...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/09/2022	4:44 PM	Re: Pietrczak case You are purposefully wasting court resources – Cool. This will be number 2 then. Aren't you deathly ill? Too ill to type emails or produce discovery right? This message was sent from my iPhone. Please excus...	William Z. White (Me)	(3) Laura Lynn, Christopher Butts, Brooke Hipp	--
Edit	Add time		03/09/2022	3:13 PM	Re: Pietrczak case You are purposefully wasting court resources – I've only found one win and it is on appeal. On Wednesday, March 9, 2022, 12:57:19 PM CST, William Z. White <wzwhite@wzwhite.com> wrote: 8 days and co...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/09/2022	12:56 PM	Re: Pietrczak case You are purposefully wasting court resources – 8 days and counting. I've contacted a broker to list the property. This will be one of most satisfying wins of my career. This message was sent from my iP ... 1	William Z. White (Me)	(3) Laura Lynn, Christopher Butts, Brooke Hipp	--
Edit	Add time		03/09/2022	9:47 AM	Pietrczak case You are purposefully wasting court resources – Mr. White and Staff, Since you produced the attached letter in the boxes I received from your office yesterday, you are well aware of the Pietrczak's plan to accept $...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time		03/08/2022	3:02 PM	Re: Pietrczak Subpoena Production Alcohol Induced Mood Disorder – Good luck. I'll be signing a cold hearing on my client's property after the hearing. I thought you were deathly ill and you want to write emails. I suppose th...	William Z. White (Me)	(3) Laura Lynn, Christopher Butts, Brooke Hipp	--

03/03/2022 9:47 AM


00609-Pietrczak
Share
Edit matter
Dashboard
Custom Fields
Activities
Calendar
Communications
Notes
Documents
Tasks
Bills
Transactions
Clio for Co-Counsel
Logs
Internal messages
Client portals
New client portal
New internal message
New log
All
Phone
Email
All dates
Filter by keyword
Columns
Filters
Actions
Recorded time
Type
Date and time
Subject, body and attachment
From
To
Notifications
Edit
Add time
03/08/2022 2:16 PM Re: Pietrczak Subpoena Production; Alcohol Induced Mood Disorder - I'm not asking for your legal advice. You were sued for malpractice before and write "boilerplate" meaningless documents. I am asking for a citation to a lega... Laura Lynn (3) William Z. White (Me), Christopher Butts, ...
03/08/2022 12:19 PM Re: Pietrczak Subpoena Production; Alcohol Induced Mood Disorder - I am not your attorney and I will not provide you any legal advice. On Tue, Mar 8, 2022 at 12:08 PM Laura Lynn <bohemian_books@yahoo.com> wrote: > In... William Z. White (Me) (3) Laura Lynn, Christopher Butts, Brooke Hipp
03/08/2022 12:08 PM Re: Pietrczak Subpoena Production; Alcohol Induced Mood Disorder - Interesting. You claim I am a bumbling, incapacitated, incompetent. But I somehow know an unspecified law regarding Arkansas discovery. My subject line i... Laura Lynn (3) William Z. White (Me), Christopher Butts, ...
03/08/2022 11:17 AM Re: Pietrczak Subpoena Production; Conviction in Federal California Eastern District - More whining, complaining threats. Any suit filed against me will be met and returned 10 fold. You are going to lose this lawsuit. And then you... William Z. White (Me) (3) Laura Lynn, Christopher Butts, Brooke Hipp
03/08/2022 11:09 AM Re: Pietrczak Subpoena Production; Alcohol Induced Mood Disorder - Arkansas law does not allow you to explain what your discovery documents are purported to mean. However, I know you are aware of that. On Mon, Mar 7, ... William Z. White (Me) (3) Laura Lynn, Christopher Butts, Brooke Hipp
03/08/2022 11:06 AM Re: Pietrczak Subpoena Production; Conviction in Federal California Eastern District - I am making my production of documents through email because COVID protocol does not allow me to bring paper copies to your office. I a... Laura Lynn (3) William Z. White (Me), Christopher Butts, ...
03/08/2022 10:56 AM Re: Pietrczak Subpoena Production; Conviction in Federal California Eastern District - Take your concerns to the Court. On Tue, Mar 8, 2022 at 10:55 AM Laura Lynn <bohemian_books@yahoo.com> wrote: > Mr. White, > > You... William Z. White (Me) (3) Laura Lynn, Christopher Butts, Brooke Hipp
03/08/2022 10:55 AM Pietrczak Subpoena Production; Conviction in Federal California Eastern District - Mr. White, You are required to make a reasonable investigation into claims before filing suit. You lied on interrogatory No. 6, not that you are... 1 Laura Lynn (3) William Z. White (Me), Christopher Butts, ...
03/08/2022 9:41 AM Re: Settlement offer (Correction) - Like I said, your comparitive description to Nazi persecution is despicable. Your messages and threats wreak of desperation and are not welcome. I look forward to concluding this matter at th... William Z. White (Me) (3) Laura Lynn, Christopher Butts, Brooke Hipp
03/08/2022 9:21 AM Pietrczak subpoena production; felony conviction 2006 - Mr. White, You must not have made a reasonable investigation into the truth of the answers to interrogatories you submitted yesterday. (Besides, they must be signe... 1 Laura Lynn (3) William Z. White (Me), Christopher Butts, ...
03/08/2022 8:48 AM Re: Settlement offer (Correction) - Pietrczak was co-plaintiff in the case in which I won over half a million, but only collected $300K because of bankruptcies. ----- Forwarded Message ----- From: Laura Lynn <bohemian_books@... Laura Lynn (3) William Z. White (Me), Christopher Butts, ...
03/08/2022 8:35 AM Re: Settlement offer - Mr. White, My nausea makes it difficult to raise my head, limiting my ability to sit at my computer. My devices that can be used laying down don't have my documents or keyboard attached. It is frustrating t... Laura Lynn (3) William Z. White (Me), Christopher Butts, ...
03/07/2022 8:31 PM Re: Settlement offer - Ms Lynn, I think your near death physical ailment may be affecting your mental judgment. Your settlement is rejected. Your threats are amusing but mere delusional bravado. I find it disgusting that you wou... William Z. White (Me) (3) Laura Lynn, Christopher Butts, Brooke Hipp
03/07/2022 8:22 PM Settlement offer - 00609-Pietrczak ... 770, give you and your clients the Lick Fork Property and release you from malicious prosecution, abuse of process claims (to be filed after Judge Weaver is removed from the bench, asking for e... Laura Lynn (3) William Z. White (Me), Christopher Butts, ...
03/07/2022 5:45 PM Pietrczak Subpoena Production; Alcohol Induced Mood Disorder - Mr. White and staff, The attached document page two shows "Patient [Michael Pietrczak] will discharge to his home. His wife will pick him up today." That ... 1 Laura Lynn (3) William Z. White (Me), Christopher Butts, ...
03/07/2022 5:26 PM Pietrczak Scans made; starting today of paper copies in production so as not to break quarantine - (No content) 2 Laura Lynn (3) William Z. White (Me), Christopher Butts, ...
03/07/2022 4:48 PM Re: PLAINTIFF'S RESPONSES FIRST SET OF INTERROGATORIES; AND REQUESTS FOR PRODUCTION OF DOCUMENTS PROPOUNDED TO PLAINTIFF - Here you go. You are wrong about your interpretation regarding... 2 William Z. White (Me) (3) Laura Lynn, Christopher Butts, Brooke Hipp
03/07/2022 4:41 PM Re: PLAINTIFF'S RESPONSES FIRST SET OF INTERROGATORIES; AND REQUESTS FOR PRODUCTION OF DOCUMENTS PROPOUNDED TO PLAINTIFF - Mr. White and Staff, The purported interrogatory responses and prod... Laura Lynn William Z. White (Me)
03/07/2022 4:36 PM Scanned file - (No content) 2 whitelaw3140@gmail.com William Z. White (Me)
03/07/2022 4:35 PM Scanned File - (No content) whitelaw3140@gmail.com William Z. White (Me)
03/07/2022 2:55 PM PLAINTIFF'S RESPONSES FIRST SET OF INTERROGATORIES; AND REQUESTS FOR PRODUCTION OF DOCUMENTS PROPOUNDED TO PLAINTIFF - See the attached discovery. -- Regards, Zac William Z. White Attorn... William Z. White (Me) Laura Lynn
03/07/2022 2:17 PM Subpoena production - Counsel and Staff, I just tried sending the subpoena production file for Pietrczak through a second method. It looked like a cloud service. It said the file was sent to Mr. White's email. Did that work? I was... Laura Lynn (3) William Z. White (Me), Christopher Butts, ...
03/07/2022 1:53 PM Pietrczak v Rural Revival Living Trust, et al Drop Box production - Counsel and Staff, I sent invites to view the 44 documents produced through Dropbox today. Please let me know if you have trouble accessing them. Regards. L... Laura Lynn (3) William Z. White (Me), Christopher Butts, ...



00609-Pietrczak
0609-21-20 Civil Litigated, Breach of Mortgage Agreement, Slander of Title, Trespass, Ejectment, Payable Extra, Quiet Title Definite

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Logs | Internal messages | Client portals

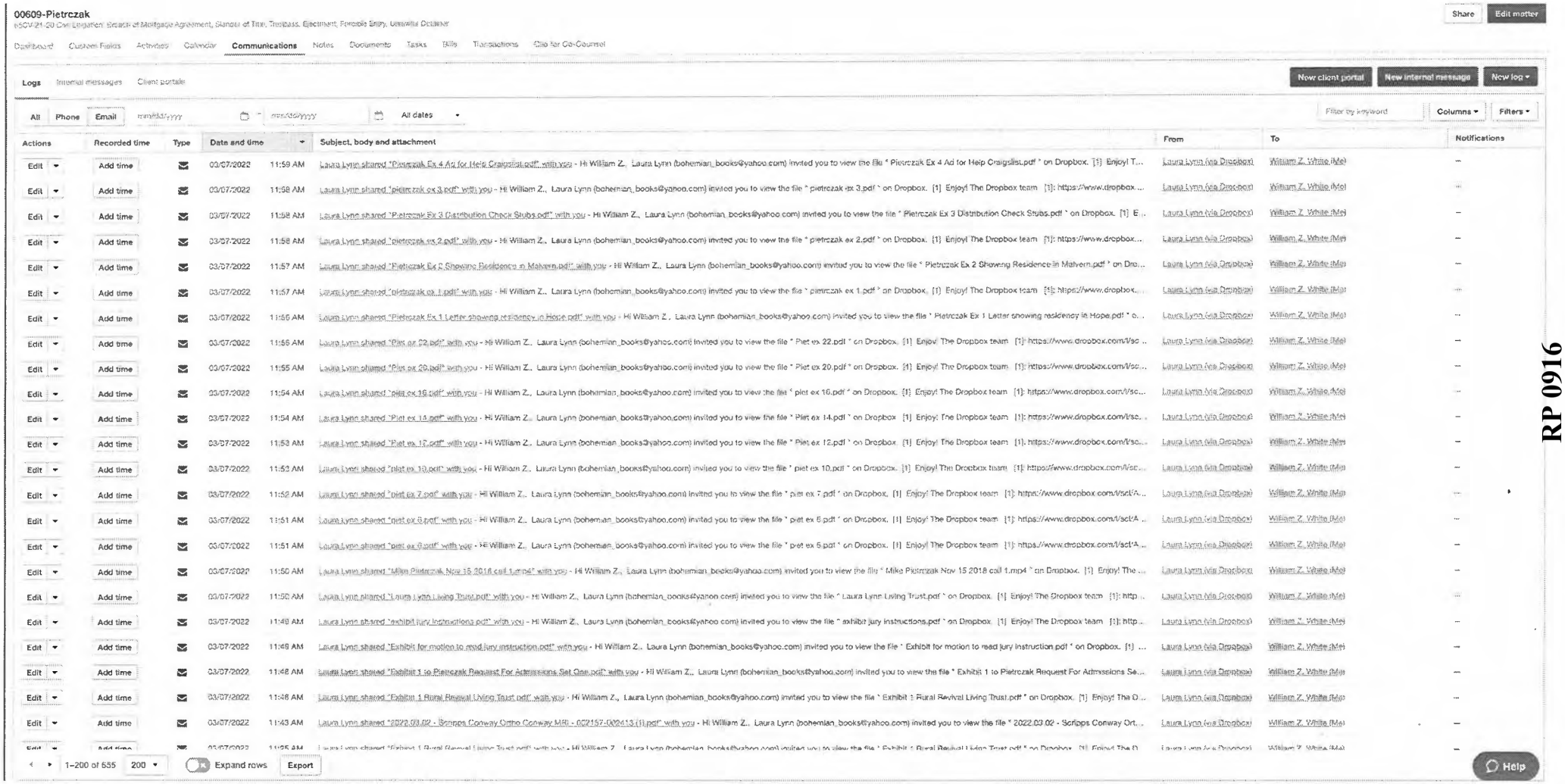
New client portal | New internal message | New log

All | Phone | Email | mm/dd/yyyy – mm/dd/yyyy | All dates | Filter by keyword | Columns | Filters

Actions	Recorded time	Type	Date and time	Subject, body and attachment	From	To	Notifications
Edit	Add time	✉	03/07/2022 1:50 PM	Re: Address - Laura Hammett16 Gold Lake Club RoadConway, Arkansas 72032 On Monday, March 7, 2022, 12:59:32 PM CST, William Z. White <wzwhite@wzwhite.com> wrote: Ms. Lynn, What address would you like my clie...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time	✉	03/07/2022 12:58 PM	Address - Ms. Lynn, What address would you like my client's discovery requests mailed to? -- Regards, Zac William Z. White Attorney & Counselor at Law 706 West Quitman Street Heber Springs, AR 72543 Phone: (501) ...	William Z. White (Me)	(3) Laura Lynn, Christopher Butts, Brooke Hop	--
Edit	Add time	✉	03/07/2022 12:06 PM	Laura Lynn shared "Pietrczak trying to get SSI by saying house does not belong to him Dec 9 2020.mp4" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak trying to get S...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:06 PM	Laura Lynn shared "Pietrczak Ex 25 One Alcohol Episode Remorse No.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 25 One Alcohol Episode Remorse No:...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:05 PM	Laura Lynn shared "Pietrczak Ex 24 Pietrczak Told Psych Hospital Lynn was His Wife.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 24 Pietrczak Told Psych H...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:05 PM	Laura Lynn shared "Pietrczak Ex 23 Pietrczak Charged Address So Lynn Would Miss Payment.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 23 Pietrczak Cha ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:05 PM	Laura Lynn shared "Pietrczak Ex 22 Pietrczak was Trustee of Lynn Trust.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 22 Pietrczak was Trustee of Lynn Trust.p...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:04 PM	Laura Lynn shared "Pietrczak Ex 21 Canceled Will.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 21 Canceled Will.pdf " on Dropbox. [1] Enjoy! The Dropbox t...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:04 PM	Laura Lynn shared "Pietrczak Ex 20 Notice and 50 50 Agreement.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 20 Notice and 50 50 Agreement.pdf " on Drop...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:04 PM	Laura Lynn shared "Pietrczak Ex 19 Fuqua to Pietrczak Warranty Deed and Transfer Tax.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 19 Fuqua to Pietrczak ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:03 PM	Laura Lynn shared "Pietrczak Ex 18 LawDepot Blank Warranty Deed.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 18 LawDepot Blank Warranty Deed.pdf " o...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:03 PM	Laura Lynn shared "Pietrczak Ex 17 Pietrczak Aknowledgment that I wanted to split 50 50.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 17 Pietrczak Aknowle...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
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Edit	Add time	✉	03/07/2022 12:02 PM	Laura Lynn shared "Pietrczak Ex 15 Letter Battery on Police Officer.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 15 Letter Battery on Police Officer.pdf " on D...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:02 PM	Laura Lynn shared "Pietrczak Ex 14 Minutes Battery on Officer et al.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 14 Minutes Battery on Officer et al.pdf " on ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:02 PM	Laura Lynn shared "Pietrczak Ex 13 Pietrczak Promise to Give Business to Brandies Lynn.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 13 Pietrczak Promise t...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:01 PM	Laura Lynn shared "Pietrczak Ex 12 Extemporaneous Business Records of Estate Sale Net Loss.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 12 Extemporan...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:01 PM	Laura Lynn shared "Pietrczak Ex 11 Pathfinders Letter.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 11 Pathfinders Letter.pdf " on Dropbox. [1] Enjoy! The Dr ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:01 PM	Laura Lynn shared "Pietrczak Ex 10 Warranty Deed Pietrczak to Trust.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 10 Warranty Deed Pietrczak to Trust.pdf " ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:00 PM	Laura Lynn shared "Pietrczak Ex 9 LawDepot Mortgage Guarantor Option.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 9 LawDepot Mortgage Guarantor Opti...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 12:00 PM	Laura Lynn shared "Pietrczak Ex 7 Emails to Pietrczaks first attorney.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 7 Emails to Pietrczaks first attorney.pdf " on...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 11:59 AM	Laura Lynn shared "Pietrczak Ex 6 Story about Laura Pietrczak.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 6 Story about Laura Pietrczak.pdf " on Dropbox. ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time	✉	03/07/2022 11:59 AM	Laura Lynn shared "Pietrczak Ex 5 Pages of Transcript.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 5 Pages of Transcript.pdf " on Dropbox. [1] Enjoy! The D...	Laura Lynn (via Dropbox)	William Z. White (Me)	--

03/07/2022 11:59 AM

RP 0915



00609-Pietrczak
ESCV21-20 Civil Litigation: Breach of Mortgage Agreement, Slander of Title, Trespass, Ejectment, Forcible Entry, Unlawful Detainer

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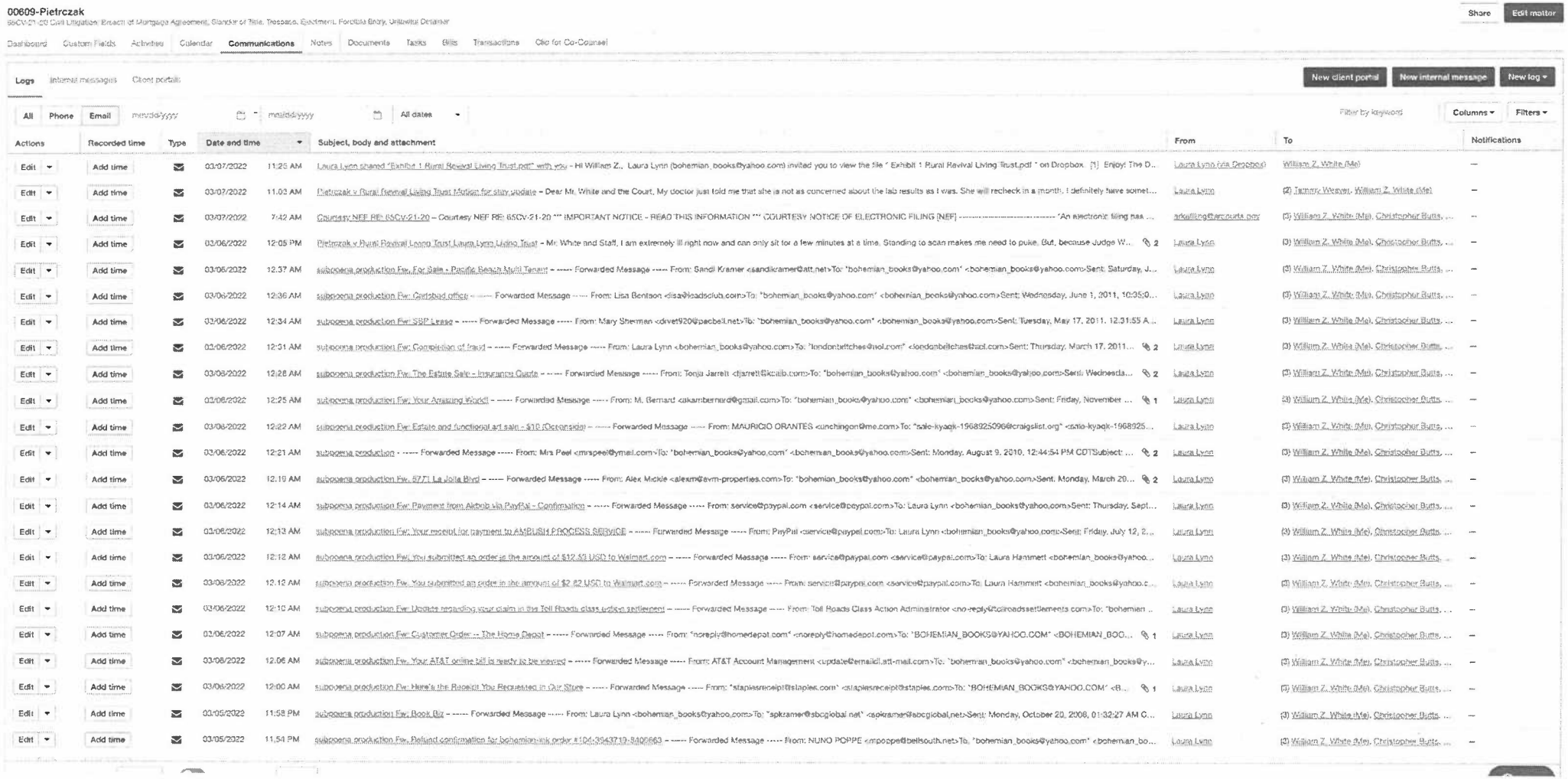
All | Phone | Email | mm/dd/yyyy | mm/dd/yyyy | All dates | Filter by keyword | Columns | Filters

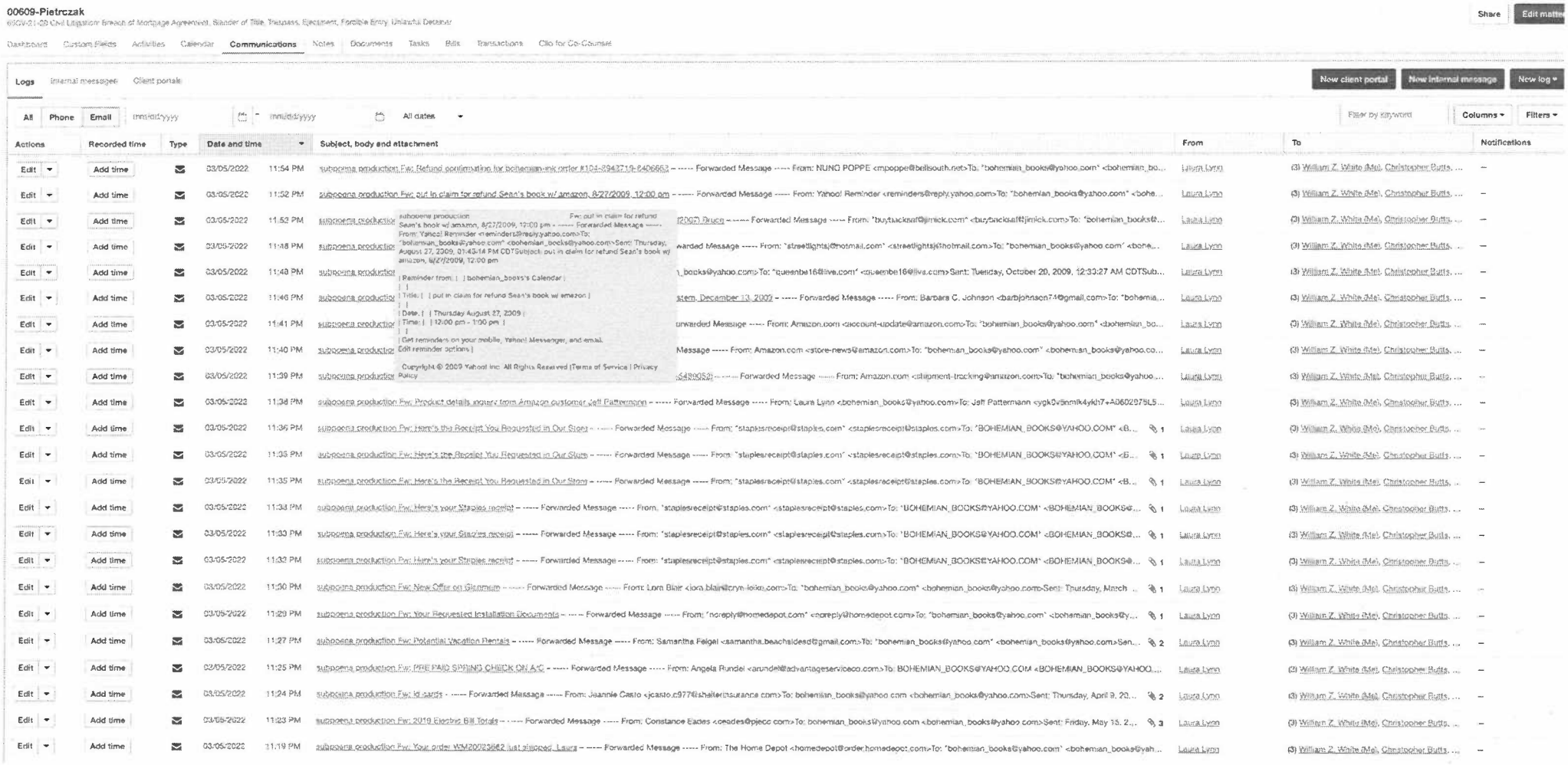
Actions	Recorded time	Type	Date and time	Subject, body and attachment	From	To	Notifications
Edit	Add time		03/07/2022	11:59 AM	Laura Lynn shared "Pietrczak Ex 4 Ad for Help Craigslist.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 4 Ad for Help Craigslist.pdf " on Dropbox. [1] Enjoy! T...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time		03/07/2022	11:58 AM	Laura Lynn shared "pietrczak ex 3.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " pietrczak ex 3.pdf " on Dropbox. [1] Enjoy! The Dropbox team [1]: https://www.dropbox ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
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Edit	Add time		03/07/2022	11:58 AM	Laura Lynn shared "pietrczak ex 2.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " pietrczak ex 2.pdf " on Dropbox. [1] Enjoy! The Dropbox team [1]: https://www.dropbox...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time		03/07/2022	11:57 AM	Laura Lynn shared "Pietrczak Ex 2 Showing Residence in Malvern.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 2 Showing Residence in Malvern.pdf " on Dro...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
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Edit	Add time		03/07/2022	11:56 AM	Laura Lynn shared "Pietrczak Ex 1 Letter showing residency in Hope.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Pietrczak Ex 1 Letter showing residency in Hope.pdf " o...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
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Edit	Add time		03/07/2022	11:54 AM	Laura Lynn shared "piet ex 16.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " piet ex 16.pdf " on Dropbox. [1] Enjoy! The Dropbox team [1]: https://www.dropbox.com/l/sc...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
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Edit	Add time		03/07/2022	11:51 AM	Laura Lynn shared "piet ex 6.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " piet ex 6.pdf " on Dropbox. [1] Enjoy! The Dropbox team [1]: https://www.dropbox.com/l/scl/A ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time		03/07/2022	11:51 AM	Laura Lynn shared "piet ex 5.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " piet ex 5.pdf " on Dropbox. [1] Enjoy! The Dropbox team [1]: https://www.dropbox.com/l/scl/A ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time		03/07/2022	11:50 AM	Laura Lynn shared "Mike Pietrczak Nov 15 2018 call 1.mp4" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Mike Pietrczak Nov 15 2018 call 1.mp4 " on Dropbox. [1] Enjoy! The ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time		03/07/2022	11:50 AM	Laura Lynn shared "Laura Lynn Living Trust.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Laura Lynn Living Trust.pdf " on Dropbox. [1] Enjoy! The Dropbox team [1]: http ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time		03/07/2022	11:49 AM	Laura Lynn shared "exhibit jury instructions.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " exhibit jury instructions.pdf " on Dropbox. [1] Enjoy! The Dropbox team [1]: http ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time		03/07/2022	11:48 AM	Laura Lynn shared "Exhibit for motion to read jury instruction.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Exhibit for motion to read jury instruction.pdf " on Dropbox. [1] ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time		03/07/2022	11:48 AM	Laura Lynn shared "Exhibit 1 to Pietrczak Request For Admissions Set One.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Exhibit 1 to Pietrczak Request For Admissions Se...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time		03/07/2022	11:48 AM	Laura Lynn shared "Exhibit 1 Rural Revival Living Trust.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Exhibit 1 Rural Revival Living Trust.pdf " on Dropbox. [1] Enjoy! The D ...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time		03/07/2022	11:43 AM	Laura Lynn shared "2022.03.02 - Scripps Conway Ortho Conway MRI - 002157-002413 (1).pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " 2022.03.02 - Scripps Conway Ort...	Laura Lynn (via Dropbox)	William Z. White (Me)	--
Edit	Add time		03/07/2022	11:35 AM	Laura Lynn shared "Exhibit 1 Rural Revival Living Trust.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Exhibit 1 Rural Revival Living Trust.pdf " on Dropbox. [1] Enjoy! The D...	Laura Lynn (via Dropbox)	William Z. White (Me)	--

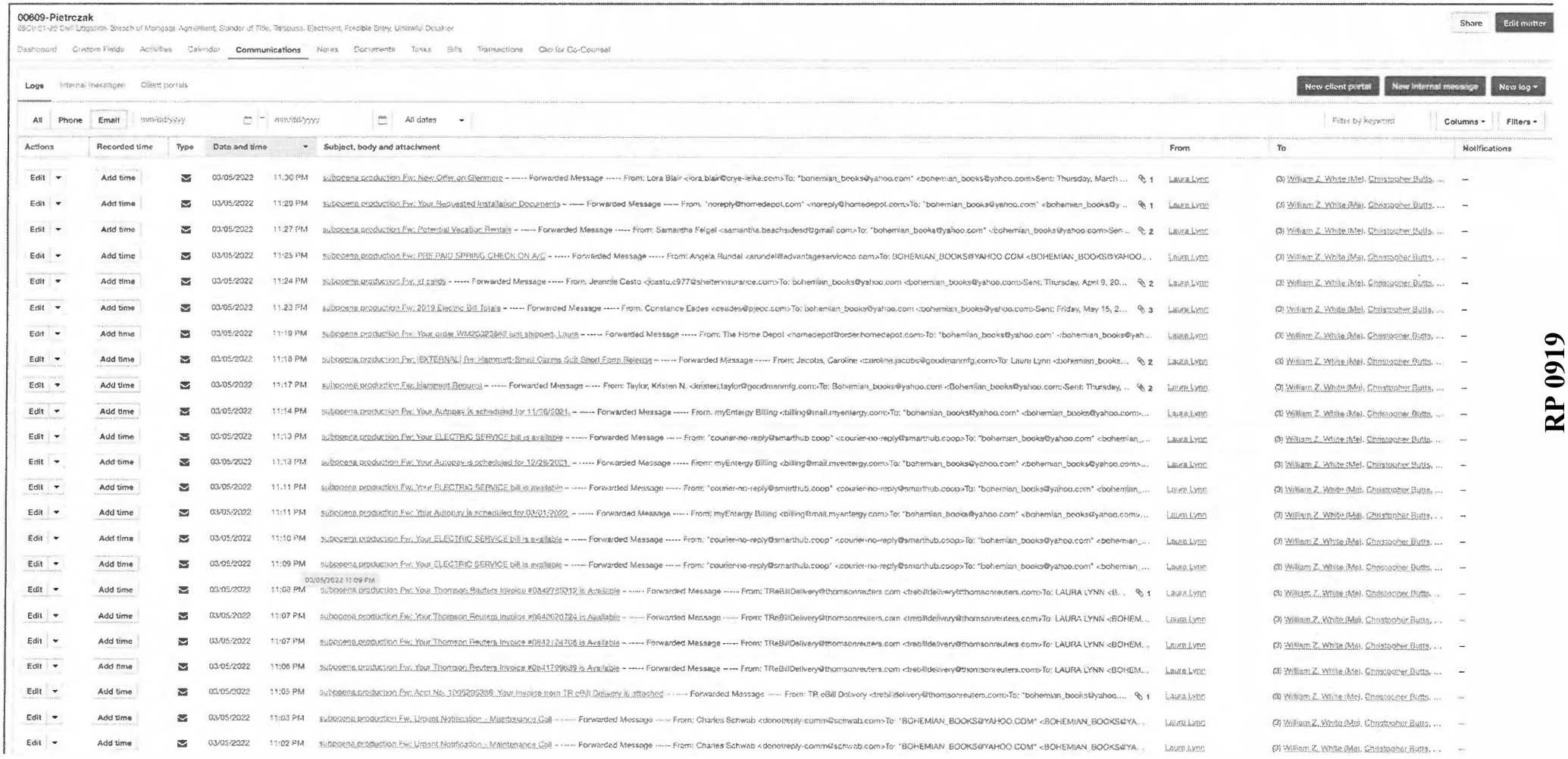
1–200 of 655 | 200 | Expand rows | Export

Help

RP 0916


00609-Pietrczak
Share
Edit matter
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Custom Fields
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Communications
Notes
Documents
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Bills
Transactions
Clio for Co-Counsel
Logs
Internal messages
Client portals
New client portal
New internal message
New log
All
Phone
Email
All dates
Filter by keyword
Columns
Filters
Actions
Recorded time
Type
Date and time
Subject, body and attachment
From
To
Notifications
Edit
Add time
03/07/2022 11:26 AM
Laura Lynn shared "Exhibit 1 Rural Revival Living Trust.pdf" with you - Hi William Z., Laura Lynn (bohemian_books@yahoo.com) invited you to view the file " Exhibit 1 Rural Revival Living Trust.pdf " on Dropbox. [1] Enjoy! The D...
Laura Lynn (via Dropbox)
William Z. White (Me)
03/07/2022 11:03 AM
Pietrczak v Rural Revival Living Trust Motion for stay update - Dear Mr. White and the Court, My doctor just told me that she is not as concerned about the lab results as I was. She will recheck in a month. I definitely have somet...
Laura Lynn
(2) Tammy Weaver, William Z. White (Me)
03/07/2022 7:42 AM
Courtesy NEF RE: 65CV-21-20 - Courtesy NEF RE: 65CV-21-20 *** IMPORTANT NOTICE - READ THIS INFORMATION *** COURTESY NOTICE OF ELECTRONIC FILING [NEF] ---------- "An electronic filing has ...
arkefiling@arcourts.gov
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:05 PM
Pietrczak v Rural Revival Living Trust Laura Lynn Living Trust - Mr. White and Staff, I am extremely ill right now and can only sit for a few minutes at a time. Standing to scan makes me need to puke. But, because Judge W... 2
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:37 AM
subpoena production Fw: For Sale - Pacific Beach Multi Tenant - ----- Forwarded Message ----- From: Sandi Kramer <sandikramer@att.net>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Saturday, J...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:36 AM
subpoena production Fw: Carlsbad office - ----- Forwarded Message ----- From: Lisa Bentson <lisa@leadsclub.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Wednesday, June 1, 2011, 10:35:0...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:34 AM
subpoena production Fw: SSP Lease - ----- Forwarded Message ----- From: Mary Sherman <drvet920@pacbell.net>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Tuesday, May 17, 2011, 12:31:55 A...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:31 AM
subpoena production Fw: Completion of travel - ----- Forwarded Message ----- From: Laura Lynn <bohemian_books@yahoo.com>To: "londonbelltches@aol.com" <londonbelltches@aol.com>Sent: Thursday, March 17, 2011... 2
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:28 AM
subpoena production Fw: The Estate Sale - Insurance Quote - ----- Forwarded Message ----- From: Tonja Jarrett <tjarrett@kcalb.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Wednesda... 2
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:25 AM
subpoena production Fw: Your Amazing World! - ----- Forwarded Message ----- From: M. Bernard <akambernard@gmail.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Friday, November ... 1
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:22 AM
subpoena production Fw: Estate and functional art sale - $10 (Oceanside) - ----- Forwarded Message ----- From: MAURICIO ORANTES <unchingon@me.com>To: "sale-kyapk-1968925096@craigslist.org" <sale-kyapk-1968925...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:21 AM
subpoena production - ----- Forwarded Message ----- From: Mrs Peel <mrspeel@ymail.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Monday, August 9, 2010, 12:44:54 PM CDTSubject: ... 2
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:19 AM
subpoena production Fw: 8771 La Jolla Blvd - ----- Forwarded Message ----- From: Alex Mickle <alexm@avm-properties.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Monday, March 20... 2
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:14 AM
subpoena production Fw: Payment from Akbob via PayPal - Confirmation - ----- Forwarded Message ----- From: service@paypal.com <service@paypal.com>To: Laura Lynn <bohemian_books@yahoo.com>Sent: Thursday, Sept...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:13 AM
subpoena production Fw: Your receipt for payment to AMPLUS14 PROCESS SERVICE - ----- Forwarded Message ----- From: PayPal <service@paypal.com>To: Laura Lynn <bohemian_books@yahoo.com>Sent: Friday, July 12, 2...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:12 AM
subpoena production Fw: You submitted an order in the amount of $12.53 USD to Walmart.com - ----- Forwarded Message ----- From: service@paypal.com <service@paypal.com>To: Laura Hammett <bohemian_books@yahoo...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:12 AM
subpoena production Fw: You submitted an order in the amount of $2.82 USD to Walmart.com - ----- Forwarded Message ----- From: service@paypal.com <service@paypal.com>To: Laura Hammett <bohemian_books@yahoo.c...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:10 AM
subpoena production Fw: Update regarding your claim in the Toll Roads class action settlement - ----- Forwarded Message ----- From: Toll Roads Class Action Administrator <no-reply@tollroadssettlements.com>To: "bohemian ...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:07 AM
subpoena production Fw: Customer Order -- The Home Depot - ----- Forwarded Message ----- From: "noreply@homedepot.com" <noreply@homedepot.com>To: "BOHEMIAN_BOOKS@YAHOO.COM" <BOHEMIAN_BOO... 1
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:06 AM
subpoena production Fw: Your AT&T online bill is ready to be viewed - ----- Forwarded Message ----- From: AT&T Account Management <update@emaildl.att-mail.com>To: "bohemian_books@yahoo.com" <bohemian_books@y...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/06/2022 12:00 AM
subpoena production Fw: Here's the Receipt You Requested in Our Store - ----- Forwarded Message ----- From: "staplesreceipt@staples.com" <staplesreceipt@staples.com>To: "BOHEMIAN_BOOKS@YAHOO.COM" <B... 1
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/05/2022 11:58 PM
subpoena production Fw: Book Biz - ----- Forwarded Message ----- From: Laura Lynn <bohemian_books@yahoo.com>To: "spkramer@sbcglobal.net" <spkramer@sbcglobal.net>Sent: Monday, October 20, 2008, 01:32:27 AM C...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...
03/05/2022 11:54 PM
subpoena production Fw: Refund confirmation for bohemian-ink order #104-3943719-8406663 - ----- Forwarded Message ----- From: NUNO POPPE <mpoppe@bellsouth.net>To: "bohemian_books@yahoo.com" <bohemian_bo...
Laura Lynn
(3) William Z. White (Me), Christopher Butts, ...


00609-Pietrczak
Share
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Communications
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Documents
Tasks
Bills
Transactions
Clio for Co-Counsel
Logs
Internal messages
Client portals
New client portal
New internal message
New log
All
Phone
Email
All dates
Filter by keyword
Columns
Filters
Actions
Recorded time
Type
Date and time
Subject, body and attachment
From
To
Notifications



00609-Pietrczak
05CV-01-20 Civil Litigation, Breach of Mortgage Agreement, Slander of Title, Trespass, Ejectment, Forcible Entry, Unlawful Detainer

Share | Edit matter

Dashboard | Custom Fields | Activities | Calendar | Communications | Notes | Documents | Tasks | Bills | Transactions | Clio for Co-Counsel

Logs | Internal messages | Client portals

New client portal | New internal message | New log

All | Phone | Email | mm/dd/yyyy – mm/dd/yyyy | All dates

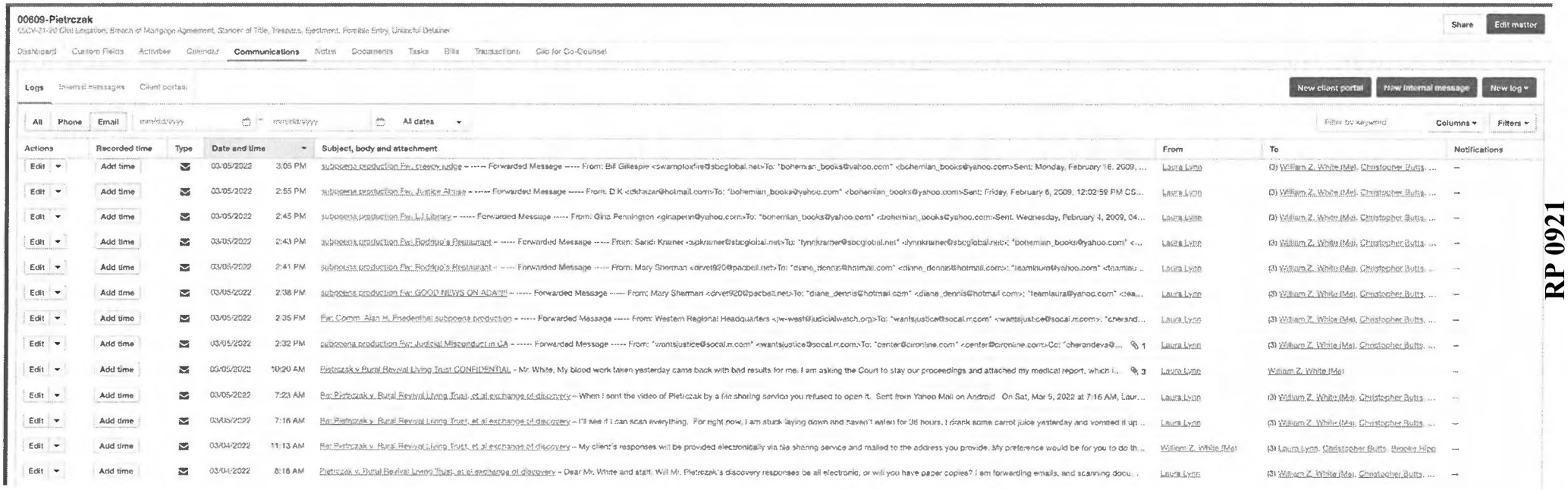
Filter by keyword | Columns | Filters

Actions	Recorded time	Type	Date and time	Subject, body and attachment	From	To	Notifications
Edit	Add time		03/05/2022	11:30 PM	subpoena production Fw: New Offer on Glenmere – ----- Forwarded Message ----- From: Lora Blair <lora.blair@crye-leike.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Thursday, March ... 1	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:29 PM	subpoena production Fw: Your Requested Installation Documents – ----- Forwarded Message ----- From: "noreply@homedepot.com" <noreply@homedepot.com>To: "bohemian_books@yahoo.com" <bohemian_books@y ... 1	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:27 PM	subpoena production Fw: Potential Vacation Rentals – ----- Forwarded Message ----- From: Samantha Feigel <samantha.beachsidesd@gmail.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sen ... 2	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:25 PM	subpoena production Fw: PAE PAID SPRING CHECK ON A/C – ----- Forwarded Message ----- From: Angela Rundel <arundel@advantageservicesc.com>To: BOHEMIAN_BOOKS@YAHOO.COM <BOHEMIAN_BOOKS@YAHOO...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:24 PM	subpoena production Fw: xl cards – ----- Forwarded Message ----- From: Jeanne Casto <jcasto.c977@shelterinsurance.com>To: bohemian_books@yahoo.com <bohemian_books@yahoo.com>Sent: Thursday, April 9, 20... 2	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:23 PM	subpoena production Fw: 2019 Electric Bill Totals – ----- Forwarded Message ----- From: Constance Eades <ceades@pjecc.com>To: bohemian_books@yahoo.com <bohemian_books@yahoo.com>Sent: Friday, May 15, 2... 3	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:19 PM	subpoena production Fw: Your order WM202236[illegible] just shipped, Laura – ----- Forwarded Message ----- From: The Home Depot <homedepot@orderhomedepot.com>To: "bohemian_books@yahoo.com" <bohemian_books@yah...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:18 PM	subpoena production Fw: [EXTERNAL] Re: Hammett-Small Claims Split Shaft Fans Balance – ----- Forwarded Message ----- From: Jacobs, Caroline <caroline.jacobs@goudmanmfg.com>To: Lauri Lynn <bohemian_books... 2	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:17 PM	subpoena production Fw: Hammett Repairs – ----- Forwarded Message ----- From: Taylor, Kristen N. <kristen.taylor@goudmanmfg.com>To: Bohemian_books@yahoo.com <Bohemian_books@yahoo.com>Sent: Thursday, ... 2	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:14 PM	subpoena production Fw: Your Autopay is scheduled for 11/26/2021. – ----- Forwarded Message ----- From: myEntergy Billing <billing@mail.myentergy.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:13 PM	subpoena production Fw: Your ELECTRIC SERVICE bill is available – ----- Forwarded Message ----- From: "courier-no-reply@smarthub.coop" <courier-no-reply@smarthub.coop>To: "bohemian_books@yahoo.com" <bohemian_...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:13 PM	subpoena production Fw: Your Autopay is scheduled for 12/28/2021. – ----- Forwarded Message ----- From: myEntergy Billing <billing@mail.myentergy.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:11 PM	subpoena production Fw: Your ELECTRIC SERVICE bill is available – ----- Forwarded Message ----- From: "courier-no-reply@smarthub.coop" <courier-no-reply@smarthub.coop>To: "bohemian_books@yahoo.com" <bohemian_...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:11 PM	subpoena production Fw: Your Autopay is scheduled for 01/01/2022. – ----- Forwarded Message ----- From: myEntergy Billing <billing@mail.myentergy.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:10 PM	subpoena production Fw: Your ELECTRIC SERVICE bill is available – ----- Forwarded Message ----- From: "courier-no-reply@smarthub.coop" <courier-no-reply@smarthub.coop>To: "bohemian_books@yahoo.com" <bohemian_...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:09 PM	subpoena production Fw: Your ELECTRIC SERVICE bill is available – ----- Forwarded Message ----- From: "courier-no-reply@smarthub.coop" <courier-no-reply@smarthub.coop>To: "bohemian_books@yahoo.com" <bohemian_...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:08 PM	subpoena production Fw: Your Thomson Reuters Invoice #0842785R12 is Available – ----- Forwarded Message ----- From: TReBillDelivery@thomsonreuters.com <trebilldelivery@thomsonreuters.com>To: LAURA LYNN <B... 1	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:07 PM	subpoena production Fw: Your Thomson Reuters Invoice #0842620724 is Available – ----- Forwarded Message ----- From: TReBillDelivery@thomsonreuters.com <trebilldelivery@thomsonreuters.com>To: LAURA LYNN <BOHEM...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:07 PM	subpoena production Fw: Your Thomson Reuters Invoice #0842134708 is Available – ----- Forwarded Message ----- From: TReBillDelivery@thomsonreuters.com <trebilldelivery@thomsonreuters.com>To: LAURA LYNN <BOHEM...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:06 PM	subpoena production Fw: Your Thomson Reuters Invoice #0841799639 is Available – ----- Forwarded Message ----- From: TReBillDelivery@thomsonreuters.com <trebilldelivery@thomsonreuters.com>To: LAURA LYNN <BOHEM...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:05 PM	subpoena production Fw: Acct No. 1309205398: Your Invoice from TR eBill Delivery is attached – ----- Forwarded Message ----- From: TR eBill Delivery <trebilldelivery@thomsonreuters.com>To: "bohemian_books@yahoo.... 1	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:03 PM	subpoena production Fw: Urgent Notification - Maintenance Call – ----- Forwarded Message ----- From: Charles Schwab <donotreply-comm@schwab.com>To: 'BOHEMIAN_BOOKS@YAHOO.COM' <BOHEMIAN_BOOKS@YA...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–
Edit	Add time		03/05/2022	11:02 PM	subpoena production Fw: Urgent Notification - Maintenance Call – ----- Forwarded Message ----- From: Charles Schwab <donotreply-comm@schwab.com>To: 'BOHEMIAN_BOOKS@YAHOO.COM' <BOHEMIAN_BOOKS@YA...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	–

03/05/2022 11:09 PM

RP 0919


00609-Pietrczak
Share
Edit matter
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Custom Fields
Activities
Calendar
Communications
Notes
Documents
Tasks
Bills
Transactions
Clio for Co-Counsel
Logs
Internal messages
Client portals
New client portal
New internal message
New log
All
Phone
Email
All dates
Filter by keyword
Columns
Filters
Actions
Recorded time
Type
Date and time
Subject, body and attachment
From
To
Notifications



00609-Pietrczak
05CV-21-20 Civil Litigation, Breach of Mortgage Agreement, Slander of Title, Trespass, Ejectment, Forcible Entry, Unlawful Detainer

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Logs | Internal messages | Client portals

New client portal | New internal message | New log

All | Phone | Email | mm/dd/yyyy | mm/dd/yyyy | All dates | Filter by keyword | Columns | Filters

Actions	Recorded time	Type	Date and time	Subject, body and attachment	From	To	Notifications
Edit	Add time	✉	03/05/2022 3:05 PM	subpoena production Fw: creepy judge - ----- Forwarded Message ----- From: Bill Gillespie <swamptoxfire@sbcglobal.net>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Monday, February 16, 2009, ...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time	✉	03/05/2022 2:55 PM	subpoena production Fw: Justice Ahuja - ----- Forwarded Message ----- From: D K <dkhazar@hotmail.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Friday, February 6, 2009, 12:02:58 PM CS...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time	✉	03/05/2022 2:45 PM	subpoena production Fw: LJ Library - ----- Forwarded Message ----- From: Gina Pennington <ginapenn@yahoo.com>To: "bohemian_books@yahoo.com" <bohemian_books@yahoo.com>Sent: Wednesday, February 4, 2009, 04...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time	✉	03/05/2022 2:43 PM	subpoena production Fw: Rodrigo's Restaurant - ----- Forwarded Message ----- From: Sandi Kramer <skkramer@sbcglobal.net>To: "lynnkramer@sbcglobal.net" <lynnkramer@sbcglobal.net>; "bohemian_books@yahoo.com" <...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time	✉	03/05/2022 2:41 PM	subpoena production Fw: Rodrigo's Restaurant - ----- Forwarded Message ----- From: Mary Sherman <drvet920@pacbell.net>To: "diane_dennis@hotmail.com" <diane_dennis@hotmail.com>; "teamlaura@yahoo.com" <teamlau...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time	✉	03/05/2022 2:38 PM	subpoena production Fw: GOOD NEWS ON ADA!!! - ----- Forwarded Message ----- From: Mary Sherman <drvet920@pacbell.net>To: "diane_dennis@hotmail.com" <diane_dennis@hotmail.com>; "teamlaura@yahoo.com" <tea...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time	✉	03/05/2022 2:35 PM	Fw: Comm. Alan H. Friedenthal subpoena production - ----- Forwarded Message ----- From: Western Regional Headquarters <jw-west@judicialwatch.org>To: "wantsjustice@socal.rr.com" <wantsjustice@socal.rr.com>; "cherand...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time	✉	03/05/2022 2:32 PM	subpoena production Fw: Judicial Misconduct in CA - ----- Forwarded Message ----- From: "wantsjustice@socal.rr.com" <wantsjustice@socal.rr.com>To: "center@cironline.com" <center@cironline.com>Cc: "cherandeva@... 1	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time	✉	03/05/2022 10:20 AM	Pietrczak v Rural Revival Living Trust CONFIDENTIAL - Mr. White, My blood work taken yesterday came back with bad results for me. I am asking the Court to stay our proceedings and attached my medical report, which i... 3	Laura Lynn	William Z. White (Me)	--
Edit	Add time	✉	03/05/2022 7:23 AM	Re: Pietrczak v. Rural Revival Living Trust, et al exchange of discovery - When I sent the video of Pietrczak by a file sharing service you refused to open it. Sent from Yahoo Mail on Android On Sat, Mar 5, 2022 at 7:16 AM, Laur...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time	✉	03/05/2022 7:16 AM	Re: Pietrczak v. Rural Revival Living Trust, et al exchange of discovery - I'll see if I can scan everything. For right now, I am stuck laying down and haven't eaten for 36 hours. I drank some carrot juice yesterday and vomited it up ...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--
Edit	Add time	✉	03/04/2022 11:13 AM	Re: Pietrczak v. Rural Revival Living Trust, et al exchange of discovery - My client's responses will be provided electronically via file sharing service and mailed to the address you provide. My preference would be for you to do th...	William Z. White (Me)	(3) Laura Lynn, Christopher Butts, Brooke Hipp	--
Edit	Add time	✉	03/04/2022 8:18 AM	Pietrczak v. Rural Revival Living Trust, et al exchange of discovery - Dear Mr. White and staff, Will Mr. Pietrczak's discovery responses be all electronic, or will you have paper copies? I am forwarding emails, and scanning docu...	Laura Lynn	(3) William Z. White (Me), Christopher Butts, ...	--

RP 0921

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-09 16:51:13
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK **PLAINTIFF**

v.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

SEPARATE DEFENDANT LAURA LYNN HAMMETT'S OBJECTION TO ORDER GRANTING DEFAULT JUDGMENT AGAINST RURAL REVIVAL LIVING TRUST ISSUED MARCH 2, 2022 AND MOTION

Comes Laura Lynn Hammett, as an individual, but who is also Trustee of the Rural Revival Living Trust, who states:

1. The Court, Judge Susan Kaye Weaver presiding, entered an order granting Default Judgment for "Plaintiff Michael Pietrczak" on March 2, 2022.
2. Laura Lynn Hammett as an individual reaffirms all previous objections and arguments for appeal.



3. The present order states that service was perfected on October 21, 2021.
4. As previously pled, Deputy Sheriff Ezra Pierce, whose name appears on the affidavit of service filed January 14, 2022, notarized by Plaintiff's attorney William White's staff member, did not see, speak to or hand anything to Laura Lynn Hammett on October 12, 2021.
5. Hammett requests the Court command Deputy Pierce to attend the hearing on March 17, 2022 in order to have him swear under penalty of perjury that his sworn affidavit is accurate.
6. Further, Hammett was vomiting on March 4, 2022 and is still ill. She is under quarantine until March 18, 2022. To comply with the Court's order to appear and to protect her individual rights to the property known as 9985 Lick Fork Road, Witts Spring, Arkansas, 72686, Hammett will attend the hearing, but thinks the Court is risking people's health by holding the hearing in person while one party may still be infected by an unknown virus.
7. Further, Hammett demands a jury to decide damages.

WHEREFORE, Separate Defendant Laura Lynn Hammett as an individual, prays the Court will summons Sheriff Deputy Ezra Pierce to testify to the authenticity of the affidavit; either hold proceedings remotely or set the hearing out to when the unrepresented party will not be infectious; and provide Hammett her Constitutional right to have the matter of damages heard by a jury of her peers.

March 9, 2022

Respectfully submitted,

/S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on March 9, 2022 I electronically filed **SEPARATE DEFENDANT LAURA LYNN HAMMETT'S OBJECTION TO ORDER GRANTING DEFAULT JUDGMENT AGAINST RURAL REVIVAL LIVING TRUST ISSUED MARCH 2, 2022 AND MOTION**

with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

March 9, 2022

/S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-13 15:13:45
65CV-21-20
C20D01 : 6 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT G

Fraudulent UAMS Financial Application

07/12/2016

UAMS
MEDICAL
CENTER

Micheal Pietrczak
903 Lincoln St
MALVERN, AR 72104

RE: Patient Name: Micheal Pietrczak
Account Number: [redacted]4271

Dear Micheal Pietrczak:

Your application or renewal application for the UAMS discount program was received in our business office on 07/12/2016.

Please allow forty-five (45) days for completion of our review and determination. If additional information is required to complete our process you will be contacted to provide the information.

You will be notified by mail when the application is approved or denied. If you have any questions, please contact our customer service department at 1-855-841-8307 or 501-686-7400.

Sincerely,

Office of Financial Clearance
UAMS Medical Center

(501) 686-7400 (local)
(855) 841-8307 (toll-free)

UAMS Medical Center Financial Assistance Application

Please mail your completed application with proof of total household income and proof of Medicaid determination, and proof of Medical debt.

Date: July 12, 2016

SS#: [redacted]0332 Date of Birth: [redacted]72

Patient's Name: Pietrczak, Micheal Alexander
last first middle

Address: 903 Lincoln ST.
Street

Malvern, AR 72104
City State Zip

Patient's Employer: N/A

Address: _____

Gross income per month: $_____

SPOUSE OR OTHER RESPONSIBLE CO-APPLICANT:

Name: N/A

Employer: _____

Address: _____

Gross income per month: $_____

Other income: (SSI, pensions, child support, etc) $ _____

Total monthly income: $ 0

ASSESTS: Bank accounts, real estate, rental property, stocks, etc

Savings: _____ $ _____

Checking: _____ $ 12.79

Other (describe): _____ $_____

FOR IN OFFICE USE ONLY: CPI: CC3361363

[X] new [ ] renewal [ ] logged in QMS

This Financial Assistance Application will be automatically denied if any of the requested information is not receive of if the information is not received in its entirety.

LIST HOUSEHOLD MEMBERS:

	Name	Relationship	Age
1.	Walter Pietrczak	my Dad	69
2.	Micheal Pietrczak	self	43
3.			
4.			

I certify that this information is true and complete. I authorize any credit investigation deemed necessary to verify this information.

Signature: Micheal Pietrczak

Date/Time: July 12, 2016 @ 10:04 AM

Return to:
UAMS Office of Financial Clearance
4301 West Markham, Slot 729
Little Rock, AR

RECEIVED
JUL

BY: Adam Dickerson

STATEMENT OF INCOME/UNEMPLOYMENT

UAMS MEDICAL CENTER
UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES

PROVIDER STATEMENT

[redacted] 3602

Account# [redacted]

I verify that ~~Michael A. Pietrzak~~ is not employed and receives no income from any source. I currently ~~provide~~ basic monthly y expenses. I estimate the monthly expenses amount to be $ 500.mo . *THIS* LINE CANNOT BE BLANK.
(Best Guess)

July 12, 2016
Date

Walter Pietrzak
Signature of Provider

Phone# 501 4626707
Address 903 Lincoln St
MALVERN AR
72104

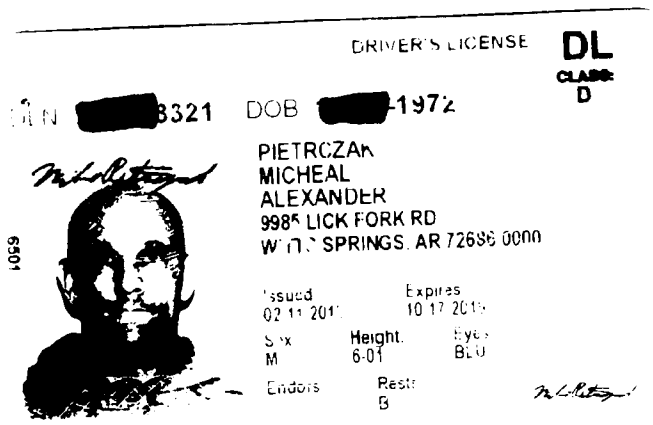
Briefly explain how Basic monthly expenses are being provided. I live with my Dad.

Examples of Basic Monthly Expenses:
Food —
Shelter(rent) —
Medications ✓
Transportation —
Utilities —

RECEIVED
JUL
BY: [illegible] 2016

4301 West Markham st. Slot 729
Little Rock, AR 72205-7199

www.uams.edu



DRIVER'S LICENSE DL
CLASS D

DLN [redacted]3321 DOB [redacted]-1972

PIETRCZAK
MICHEAL
ALEXANDER
9985 LICK FORK RD
WHITE SPRINGS, AR 72686 0000

Issued 02 11 201[illegible]
Expires 10 17 201[illegible]
Sex M
Height 6-01
Eyes BLU
Endors
Restr B

RECEIVED
[illegible]
BY: [illegible]

Motor Vehicle Auto Accident Liability Verification Form

N/A

1. Is any of your treatment at the University Hospital due to an accident? (✓) Yes - Proceed to question# 2
( ) No - Stop, this form is complete. Please sign at the bottom.

2. Please indicate tile type of accident: ( ) Auto ( ) Boating ( ) Motorcycle (✓) Other - Please Explain Briefly
An A+V, 4 Wheeler

3. What is lhe date olthe accident? (mm/dd/yy) May 26, 2016

4. Were you the (✓) Driver ( ) Passenger

5. Who was at fault? (✓) Driver of the vehide the patient was in ( ) Driver of other car

6. Who is the auto Insurance responsible for your medical clamis?
Insurance Company's Name: N/A
Agent's Name: _____
Address: _____
City, _____ State: _____ Zip Code: _____
Phone Number: _____

7. If the insurance company listed in# 6 is not your personal Auto insurance please provide your Automobile Insurance information:

Insurance Company's Name: N/A
Agent's Name: _____
Address: _____
City, _____ State: _____ Zip Code: _____
Phone Number:

8. Have you consulted an attorney for the accident? ( )Yes (✓) No

9. Please provide the following information on your attorney: Name: N/A
Address:
_____
City:
_____
State:
_____ Zip Code: _____
Phone Number: _____

10. If you have an attorney,please sign the attached authorization for Release of Information: N/A

Patient Signature: [signature] Date: July 12, 2016 Time: 10:45 AM

RECEIVED

BY: [illegible]

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-13 15:13:45
65CV-21-20
C20D01 : 7 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT F

Proof of Payments By Laura Lynn

Demand Deposit [redacted]397 - MICHEAL ALEXANDER PIETRCZAK

	Relationship	Date of Birth	Phone Number	Tax Identification
MICHEAL ALEXANDER PIETRCZAK	Owner/Signer	*** **, ****	**********	SSN ***-**-****

9985 LICK FORK RD
WITTS SPRINGS AR 72686

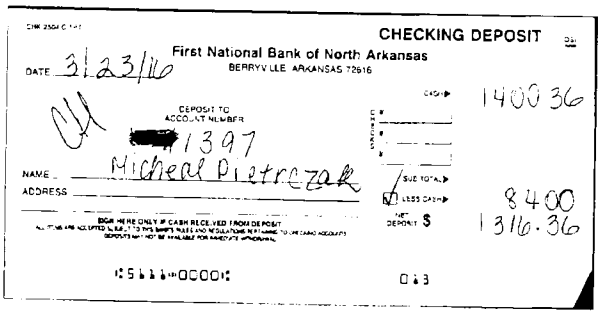
Additional Relationships
Tax Name: MICHEAL ALEXANDER PIETRCZAK

All Transactions

Description	Debits	Credits	Date
[redacted] AMZNIJDDESMZ payments.amazon.com ID#EN4HQM1U3XU4W6M account #5 Large Set up w/out My Permission		$17.15	Jan 14, 2016
Deposit		$140.00	Feb 09, 2016
Check #1035	$100.00		Feb 17, 2016
[redacted] AMZNIL1DWHSS payments.amazon.com ID#R8XJO091HYZCNPH		$43.30	Feb 25, 2016
Deposit		$120.81	Feb 29, 2016
Deposit		$1,316.36	Mar 23, 2016
546301 PURCHASE CRICKET WIRELESS 855-246-2461 FL 490002 608600012	$57.00		Mar 28, 2016
703724 WITHDRAWAL 1311 HWY 6265 N HARRISON AR 618425 107	? $300.00		Mar 28, 2016
462211 PURCHASE (PIN) WAL-MART SUPER CENTER HARRISON AR 590142 00426468	$154.50		Mar 30, 2016
609392 PURCHASE DAYS INN HARRISON AR 490002 609100002	$66.12		Mar 31, 2016
416394 PURCHASE DAYS INN HARRISON AR 490002 609500100	$182.24		Apr 04, 2016
416396 PURCHASE DAYS INN HARRISON AR 490002 609500100	$182.24		Apr 04, 2016
743724 PURCHASE (PIN) ndys Country Store Witts Springs AR 723724 7437240	$106.89		Apr 08, 2016
Deposit		$1,316.36	Apr 11, 2016
Check	? $300.00		Apr 11, 2016
650629 PURCHASE JAM MART 6 FORT SMITH AR 490002 610300020	$60.00		Apr 12, 2016
903372 PURCHASE HARP'S FUEL #0188 MARSHALL AR 490002 610400051	$23.68		Apr 13, 2016
727889 PURCHASE (PIN) ndys Country Store Witts Springs AR 727889 7278890	$66.89		Apr 15, 2016
33518 PURCHASE OLD SOUTH RESTAURANT RUSSELLVILLE AR 490002 610700	$24.16		Apr 18, 2016
243687 PURCHASE (PIN) KINGS RIVER COUNTR HUNTSVILLE AR 484670 610800113	$50.00		Apr 18, 2016
661076 PURCHASE COGSWELL MTRS INC 479-968-2665 AR 490002 610700021	$56.14		Apr 18, 2016
836223 PURCHASE FAMILY EYE CARE OF RUS RUSSELLVILLE AR 490002 6109	$75.00		Apr 18, 2016
259963 PURCHASE (PIN) WM SUPERC WAL-MART SUP RUSSELLVILLE AR 597972 0042	$75.21		Apr 18, 2016
FEE FOR WITHDRAWAL 0350 HWY 133 CARBONDALE CO 486473 00021859	$1.00		Apr 19, 2016
599027 PURCHASE (PIN) SEI 22088 CARBONDALE CO 729027 59902700	$3.25		Apr 19, 2016
862885 PURCHASE RUSSELL LODGE RUSSELL	$56.19		Apr 19,

	Description	Debits	Credits	Date
	KS 490002 611000020			
+	290724 PURCHASE VISTAPR*VISTAPRINT.COM 866-8936743 MA 490002 61100	$119.29		2016 Apr 19,
+	981732 WITHDRAWAL 0350 HWY 133 CARBONDALE CO 486473 00021859	$503.50		2016 Apr 19,
+	650033 MERCH. RETURN SUNBURST CAR CARE CARBONDALE CO 490002 611100033		$60.00	2016 Apr 20,
+	655694 PURCHASE THE POUR HOUSE - CARBO CARBONDALE CO 490002 611100	$3.00		2016 Apr 20,
+	651563 PURCHASE BLACK NUGGET CARBONDALE CO 490002 611100034	$10.00		2016 Apr 20,
+	372038 PURCHASE SHELL OIL 57444248702 WATKINS CO 490002 611100066	$50.94		2016 Apr 20,
+	303640 PURCHASE LOVE S TRAVEL 00004556 ELLIS KS 490002 611100006	$53.38		2016 Apr 20,
+	771756 PURCHASE (PIN) KING SOOPERS CARBONDALE CO 481695 00063527	$54.53		2016 Apr 20,
+	650031 PURCHASE SUNBURST CAR CARE CARBONDALE CO 490002 611100033	$60.00		2016 Apr 20,
+	714589 PURCHASE (PIN) KING SOOPERS CARBONDALE CO 489696 00031599	$104.34		2016 Apr 20,
+	972292 PURCHASE DAYS INN CARBONDALE CARBONDALE CO 490002 611200098	$79.45		2016 Apr 21,
+	996771 PURCHASE CARBONDALE CAR CARE CARBONDALE CO 490002 611300069	$39.02		2016 Apr 22,
+	Deposit		$200.00	2016 Apr 25,
+	106589 PURCHASE (PIN) KK IRISH ADRIAN TX 480383 00248080	$7.64		2016 Apr 25,
+	68556 PURCHASE (PIN) SUPERSTOP CLARKSVILLE CLARKSVILLE AR 482444 002198	$12.88		2016 Apr 25,
+	619217 PURCHASE SHELL OIL 10071878002 ESPANOLA NM 490002 611600285	$30.00		2016 Apr 25,
+	95081 PURCHASE SUPERSTOP CLARKSVILL CLARKSVILLE AR 490002 6116000	$30.02		2016 Apr 25,
+	461439 PURCHASE (PIN) KK IRISH ADRIAN TX 721439 611446143	$53.64		2016 Apr 25,
+	194115 PURCHASE (PIN) ndys Country Store Witts Springs AR 724115 1941150	$21.70		2016 Apr 26,
+	838047 PURCHASE CRICKET WIRELESS 855-246-2461 FL 490002 611800009	$57.00		2016 Apr 27,
+	AMZNINJEN87B payments.amaz on.com ID#G4FCYJ7UZJUVS7Y		$11.64	2016 Apr 28,
+	647466 PURCHASE BIG RED 21 REDFIELD AR 490002 611900016	$16.56		2016 Apr 28,
+	480831 PURCHASE NETFLIX.COM NETFLIX.COM CA 490002 612300163	$12.89		2016 May 02,
+	Deposit		$1,016.36	2016 May 03,
+	Check	$300.00		2016 May 04,
+	781620 PURCHASE (PIN) ndys Country Store Witts Springs AR 721620 7816200	$66.89		2016 May 04,
+	123841 PURCHASE (PIN) ALDI 46045 0624 HARRISON AR 597870 00165108	$73.75		2016 May 04,
+	231545 PURCHASE (PIN) HUDSON'S SUPERMARKET HARRISON AR 487652 00073914	$154.98		2016 May 04,
+	78266 PURCHASE HARP'S FUEL #0188 MARSHALL AR 490002 612700055	$27.26		2016 May 06,
+	863253 PURCHASE MARATHON PETRO094854 ELIZABETHTOWN KY 490002 61320	$20.00		2016 May 11,
+	550801 PURCHASE (PIN) AMERIMART #29 DEXTER MO 594788 00765458	$52.34		2016 May 11,
+	641055 PURCHASE MARATHON PETRO084517 PRINCETON KY 490002 613300004	$10.79		2016 May 12,
+	912609 PURCHASE CASEYS GEN STORE2907 CHARLESTON MO 490002 61330004	$50.00		2016 May 12,

	Description	Debits	Credits	Date
+	641054 PURCHASE MARATHON PETRO084517 PRINCETON KY 490002 613300004	$53.95		May 12, 2016
+	744416 PURCHASE (PIN) WAL-MART #0058 RUSSELLVILLE AR 593827 613500454	$34.00		May 16, 2016
+	229082 PURCHASE (PIN) IN *BLUE WATERS LIQUOR WESTERN GROVE AR 486797 003	$35.13		May 26, 2016
+	886663 PURCHASE CRICKET WIRELESS 855-246-2461 FL 490002 614700009	$57.00		May 26, 2016
+	Deposit		$1,316.36	May 31, 2016
+	972404 PURCHASE NETFLIX.COM NETFLIX.COM CA 490002 615100002	$12.89		May 31, 2016
+	957325 PURCHASE (PIN) FAMILY MARKET MALVERN AR 486021 00658589	$11.39		Jun 02, 2016
+	995936 PURCHASE CLAY MAXEY FORD HARRISON AR 490002 615400057	$217.25		Jun 02, 2016
+	881247 PURCHASE (PIN) FAMILY DOLLAR # MALVERN AR 593055 00992685	$74.39		Jun 03, 2016
+	474760 WITHDRAWAL 521 EAST PAGE MALVERN AR 616320 027	$403.00		Jun 03, 2016
+	996065 PURCHASE (PIN) NNT TSS 84 071491 MALVERN AR 481776 00047450	$29.82		Jun 06, 2016
+	542117 PURCHASE DISCOUNT TOBACCO - MAL MALVERN AR 490002 615600134	$43.02		Jun 06, 2016
+	325419 PURCHASE (PIN) FAMILY DOLLAR # MALVERN AR 594690 00295855	$46.71		Jun 06, 2016
+	381262 PURCHASE (PIN) TOBACCO OUTLET O LITTLE ROCK AR 599191 00176748	$78.57		Jun 06, 2016
+	394654 PURCHASE Wal-Mart Super Center MALVERN AR 924654 60322883	$30.56		Jun 08, 2016
+	510566 PURCHASE FAMILY MARKET SSS MALVERN AR 490002 616000040	$40.14		Jun 08, 2016
+	809781 PURCHASE (PIN) WAL-MART #0127 MALVERN AR 592295 00797064	$52.32		Jun 08, 2016
+	221499 PURCHASE (PIN) GRICE'S GROCERY AN WESTERN GROVE AR 486651 0048804	$13.00		Jun 13, 2016
+	578885 PURCHASE (PIN) KUM & GO #381 HARRISON AR 728885 616357888	$20.50		Jun 13, 2016
+	635451 PURCHASE DOYLE'S CORNER MALVERN AR 490002 616500306	$22.08		Jun 13, 2016
+	405966 PURCHASE HARP'S #2188 SL8 MARSHALL AR 490002 616500056	$22.14		Jun 13, 2016
+	894741 PURCHASE DRAGON KING HARRISON AR 490002 616300116	$27.23		Jun 13, 2016
+	578942 PURCHASE (PIN) KUM & GO #381 HARRISON AR 728942 616357894	$75.00		Jun 13, 2016
+	776691 PURCHASE INTERNET HOTEL RESERVA 800-3139472 MO 490002 61630	$92.76		Jun 13, 2016
+	164357 PURCHASE (PIN) TOBACCO OUTLET O LITTLE ROCK AR 590341 00566761	$39.28		Jun 14, 2016
+	590398 PURCHASE (PIN) TOBACCO OUTLET O LITTLE ROCK AR 597840 00086463	$23.22		Jun 22, 2016
+	395686 PURCHASE NETFLIX.COM NETFLIX.COM CA 490002 618300034	$12.89		Jul 01, 2016



CHECKING DEPOSIT

First National Bank of North Arkansas
BERRYVILLE, ARKANSAS 72616

DATE 3/23/16

DEPOSIT TO ACCOUNT NUMBER ****1397

NAME Micheal Pietrczak

ADDRESS

CASH 1400 36

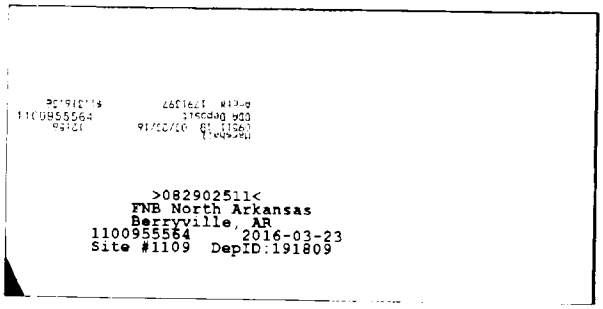
SUB TOTAL

LESS CASH 8400

NET DEPOSIT $ 1316.36

SIGN HERE ONLY IF CASH RECEIVED FROM DEPOSIT

:5111=0000: 013

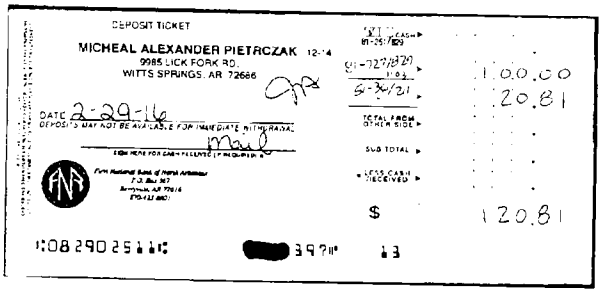


1100955564 2016-03-23
Site #1109 DepID:191809

>082902511<
FNB North Arkansas
Berryville, AR

DDA Credits - 3/23/2016 - ****1397 - $1,316.36

DDA Credits - 3/23/2016 - ****1397 - $1,316.36



DEPOSIT TICKET

MICHEAL ALEXANDER PIETRCZAK 12-14
9985 LICK FORK RD
WITTS SPRINGS, AR 72686

DATE 2-29-16
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

Mail

CASH 100.00
20.81

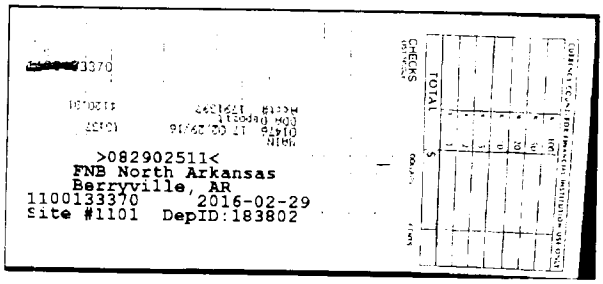
TOTAL FROM OTHER SIDE

SUB TOTAL

LESS CASH RECEIVED

$ 120.81

:082902511: ****1397 013



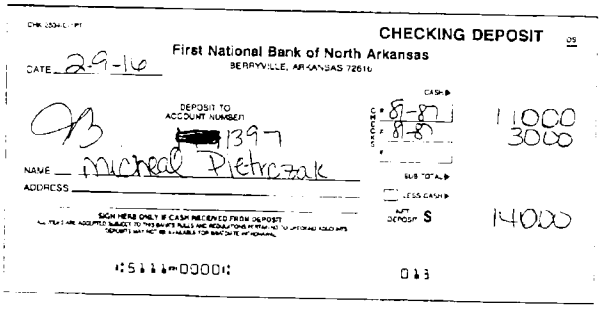
****3370

CHECKS TOTAL $

>082902511<
FNB North Arkansas
Berryville, AR
1100133370 2016-02-29
Site #1101 DepID:183802

DDA Credits - 2/29/2016 - ****1397 - $120.81

DDA Credits - 2/29/2016 - ****1397 - $120.81



CHECKING DEPOSIT

First National Bank of North Arkansas
BERRYVILLE, ARKANSAS 72616

DATE 2-29-16

DEPOSIT TO ACCOUNT NUMBER ****1397

NAME Micheal Pietrczak

ADDRESS

CASH 81-87 110.00
81-85 30.00

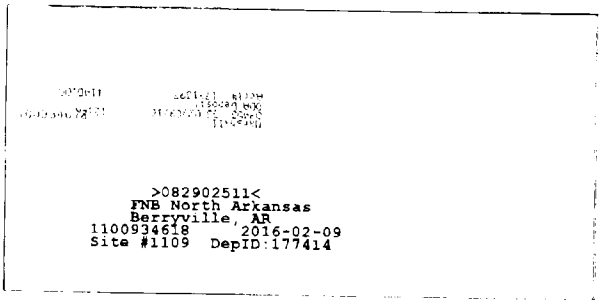
SUB TOTAL

LESS CASH

NET DEPOSIT $ 140.00

SIGN HERE ONLY IF CASH RECEIVED FROM DEPOSIT

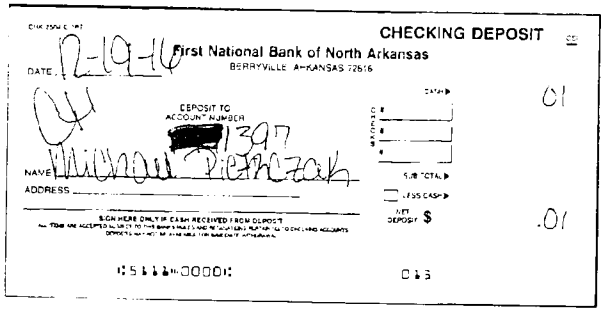
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>082902511<
FNB North Arkansas
Berryville, AR
1100934618 2016-02-09
Site #1109 DepID:177414

DDA Credits - 2/9/2016 - ****1397 - $140.00

DDA Credits - 2/9/2016 - ****1397 - $140.00



CHECKING DEPOSIT

First National Bank of North Arkansas
BERRYVILLE, ARKANSAS 72616

DATE 12-19-16

DEPOSIT TO ACCOUNT NUMBER [redacted]1397

NAME Michael Pietrczak

ADDRESS

SIGN HERE ONLY IF CASH RECEIVED FROM DEPOSIT

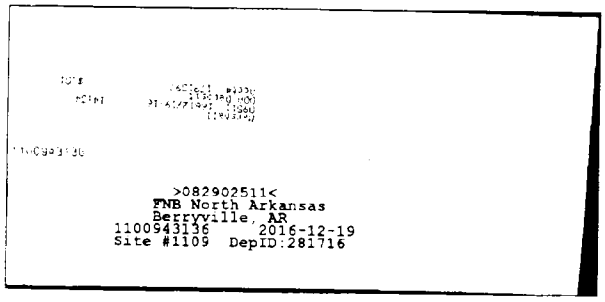
CASH 01

SUB TOTAL

LESS CASH

NET DEPOSIT $ .01

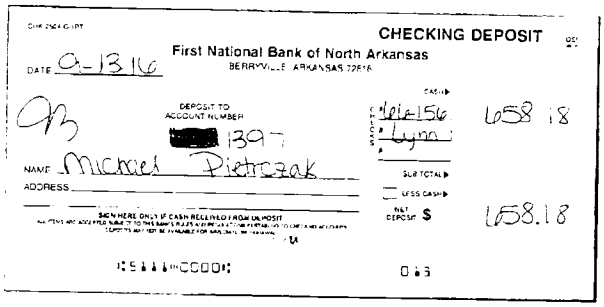
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>082902511<
FNB North Arkansas
Berryville, AR
1100943136 2016-12-19
Site #1109 DepID:281716

DDA Credits - 12/19/2016 - [redacted]397 - $0.01

DDA Credits - 12/19/2016 - [redacted]1397 - $0.01



CHECKING DEPOSIT

First National Bank of North Arkansas
BERRYVILLE, ARKANSAS 72616

DATE 9-13-16

DEPOSIT TO ACCOUNT NUMBER [redacted]1397

NAME Michael Pietrczak

ADDRESS

SIGN HERE ONLY IF CASH RECEIVED FROM DEPOSIT

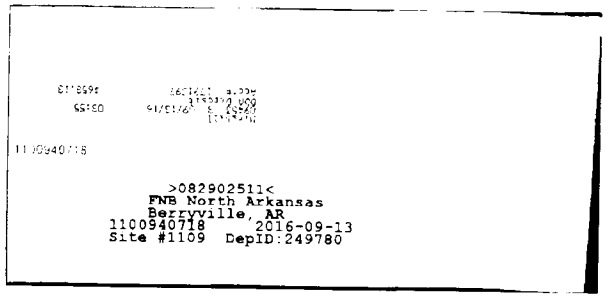
CASH 10+-156 Lyna 658 18

SUB TOTAL

LESS CASH

NET DEPOSIT $ 658.18

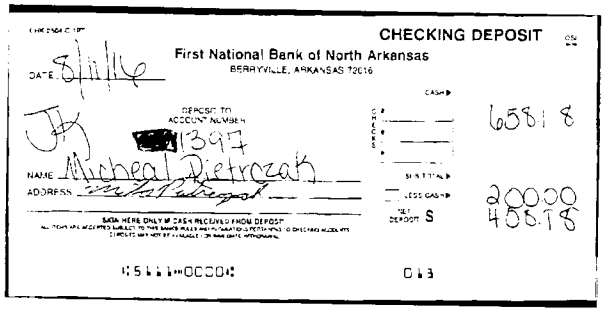
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>082902511<
FNB North Arkansas
Berryville, AR
1100940718 2016-09-13
Site #1109 DepID:249780

DDA Credits - 9/13/2016 - [redacted]397 - $658.18

DDA Credits - 9/13/2016 - [redacted]1397 - $658.18



CHECKING DEPOSIT

First National Bank of North Arkansas
BERRYVILLE, ARKANSAS 72616

DATE 8/11/16

DEPOSIT TO ACCOUNT NUMBER [redacted]1397

NAME Michael Pietrczak

ADDRESS [redacted]

SIGN HERE ONLY IF CASH RECEIVED FROM DEPOSIT

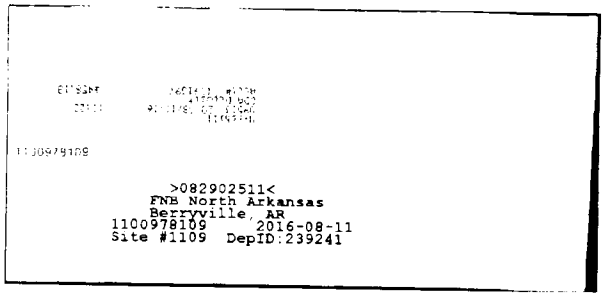
CASH 6581 8

SUB TOTAL

LESS CASH 200 00

NET DEPOSIT $ 458.18

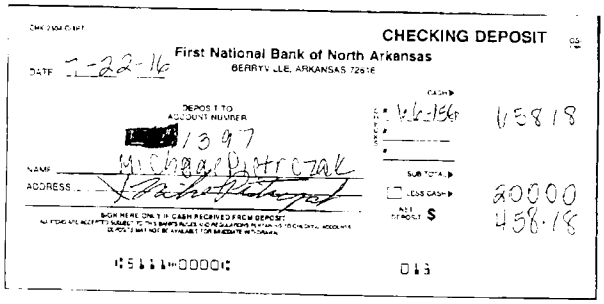
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>082902511<
FNB North Arkansas
Berryville, AR
1100978109 2016-08-11
Site #1109 DepID:239241

DDA Credits - 8/11/2016 - [redacted]1397 - $458.18

DDA Credits - 8/11/2016 - [redacted]1397 - $458.18



CHECKING DEPOSIT

First National Bank of North Arkansas
BERRYVILLE, ARKANSAS 72616

DATE 7-22-16

DEPOSIT TO ACCOUNT NUMBER [redacted]1397

NAME Michael Pietrczak

ADDRESS [redacted]

SIGN HERE ONLY IF CASH RECEIVED FROM DEPOSIT

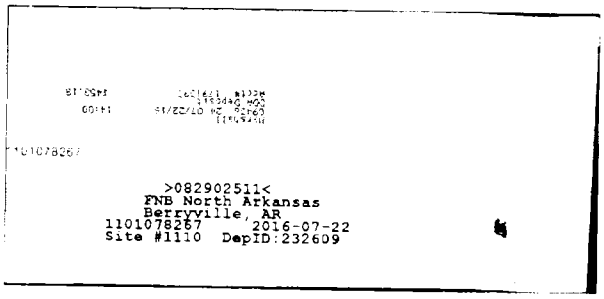
CASH 10+-156 658 18

SUB TOTAL

LESS CASH 200 00

NET DEPOSIT $ 458.18

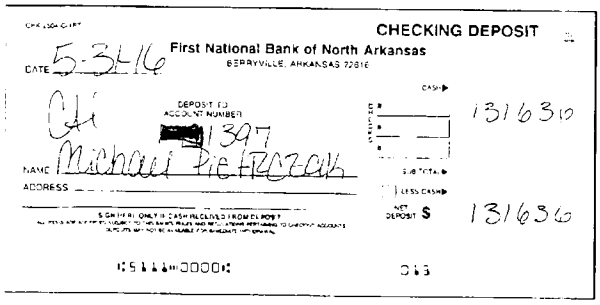
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>082902511<
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Berryville, AR
1101078267 2016-07-22
Site #1110 DepID:232609

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DDA Credits - 7/22/2016 - [redacted]397 - $458.18



CHECKING DEPOSIT

First National Bank of North Arkansas
BERRYVILLE, ARKANSAS 72616

DATE 5-31-16

DEPOSIT TO ACCOUNT NUMBER [redacted]1397

NAME Michael Pietrzak

ADDRESS

CASH 1316 30

CHECKS 1316 30

SUB TOTAL

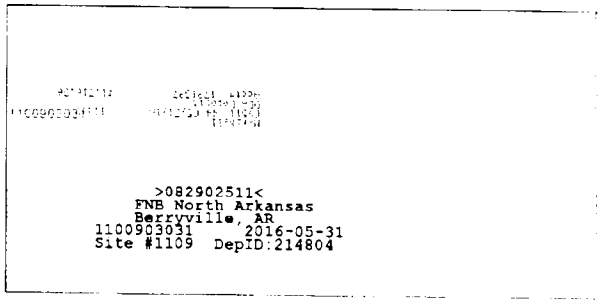
LESS CASH

NET DEPOSIT $ 1316 36

SIGN HERE ONLY IF CASH RECEIVED FROM DEPOSIT

:5111m0000:

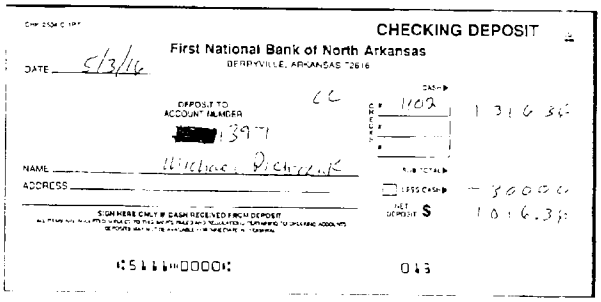
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>082902511<
FNB North Arkansas
Berryville, AR
1100903031 2016-05-31
Site #1109 DepID:214804

DDA Credits - 5/31/2016 - [redacted]1397 - $1,316.36

DDA Credits - 5/31/2016 - [redacted]1397 - $1,316.36



CHECKING DEPOSIT

First National Bank of North Arkansas
BERRYVILLE, ARKANSAS 72616

DATE 5/3/16

DEPOSIT TO ACCOUNT NUMBER [redacted]1397

NAME Michael Pietrzak

ADDRESS

CASH 1102 1316 36

CHECKS

SUB TOTAL

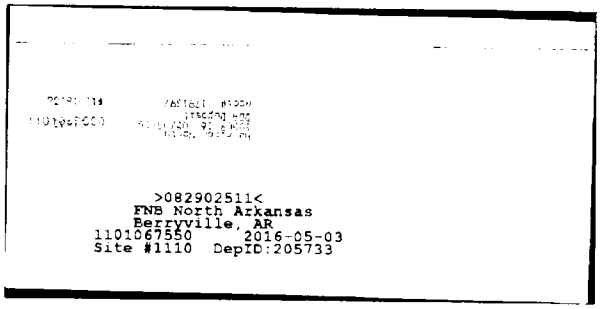
LESS CASH -300 00

NET DEPOSIT $ 1016 36

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:5111m0000:

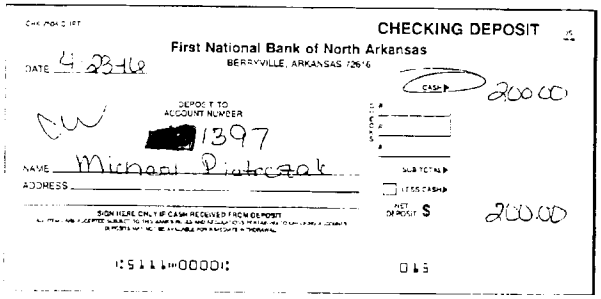
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>082902511<
FNB North Arkansas
Berryville, AR
1101067550 2016-05-03
Site #1110 DepID:205733

DDA Credits - 5/3/2016 - [redacted]1397 - $1,016.36

DDA Credits - 5/3/2016 - [redacted]1397 - $1,016.36



CHECKING DEPOSIT

First National Bank of North Arkansas
BERRYVILLE, ARKANSAS 72616

DATE 4-23-16

DEPOSIT TO ACCOUNT NUMBER [redacted]1397

NAME Michael Pietrzak

ADDRESS

CASH 200 00

CHECKS

SUB TOTAL

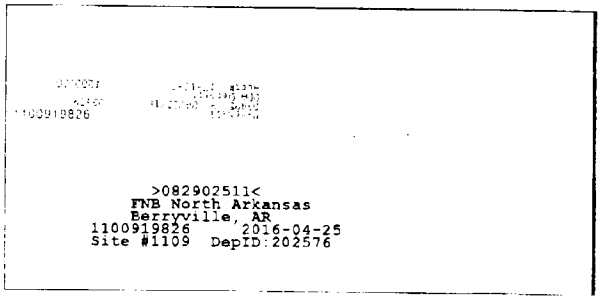
LESS CASH

NET DEPOSIT $ 200.00

SIGN HERE ONLY IF CASH RECEIVED FROM DEPOSIT

:5111m0000:

013

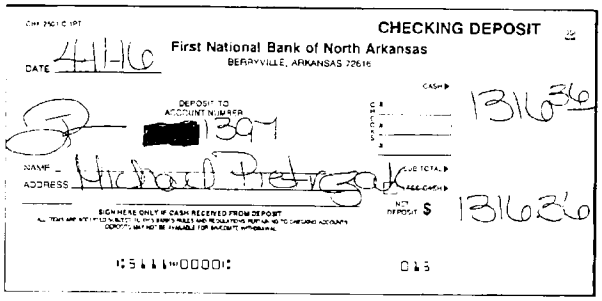


1100919826

>082902511<
FNB North Arkansas
Berryville, AR
1100919826 2016-04-25
Site #1109 DepID:202576

DDA Credits - 4/25/2016 - [redacted]1397 - $200.00

DDA Credits - 4/25/2016 - [redacted]1397 - $200.00



CHECKING DEPOSIT

First National Bank of North Arkansas
BERRYVILLE, ARKANSAS 72616

DATE 4-11-16

DEPOSIT TO ACCOUNT NUMBER [redacted]1397

NAME Michael Pietrzak

ADDRESS

CASH 1316 36

CHECKS

SUB TOTAL

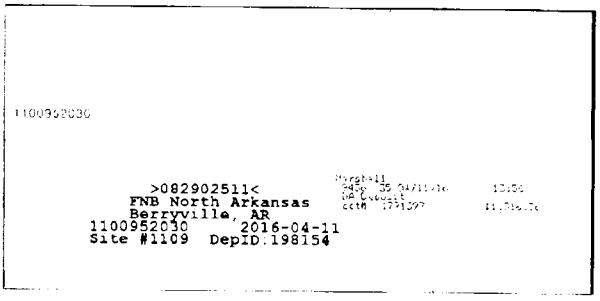
LESS CASH

NET DEPOSIT $ 1316 36

SIGN HERE ONLY IF CASH RECEIVED FROM DEPOSIT

:5111m0000:

013



1100952030

>082902511<
FNB North Arkansas
Berryville, AR
1100952030 2016-04-11
Site #1109 DepID:198154

DDA Credits - 4/11/2016 - [redacted]1397 - $1,316.36

DDA Credits - 4/11/2016 - [redacted]1397 - $1,316.36

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-13 15:13:45
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

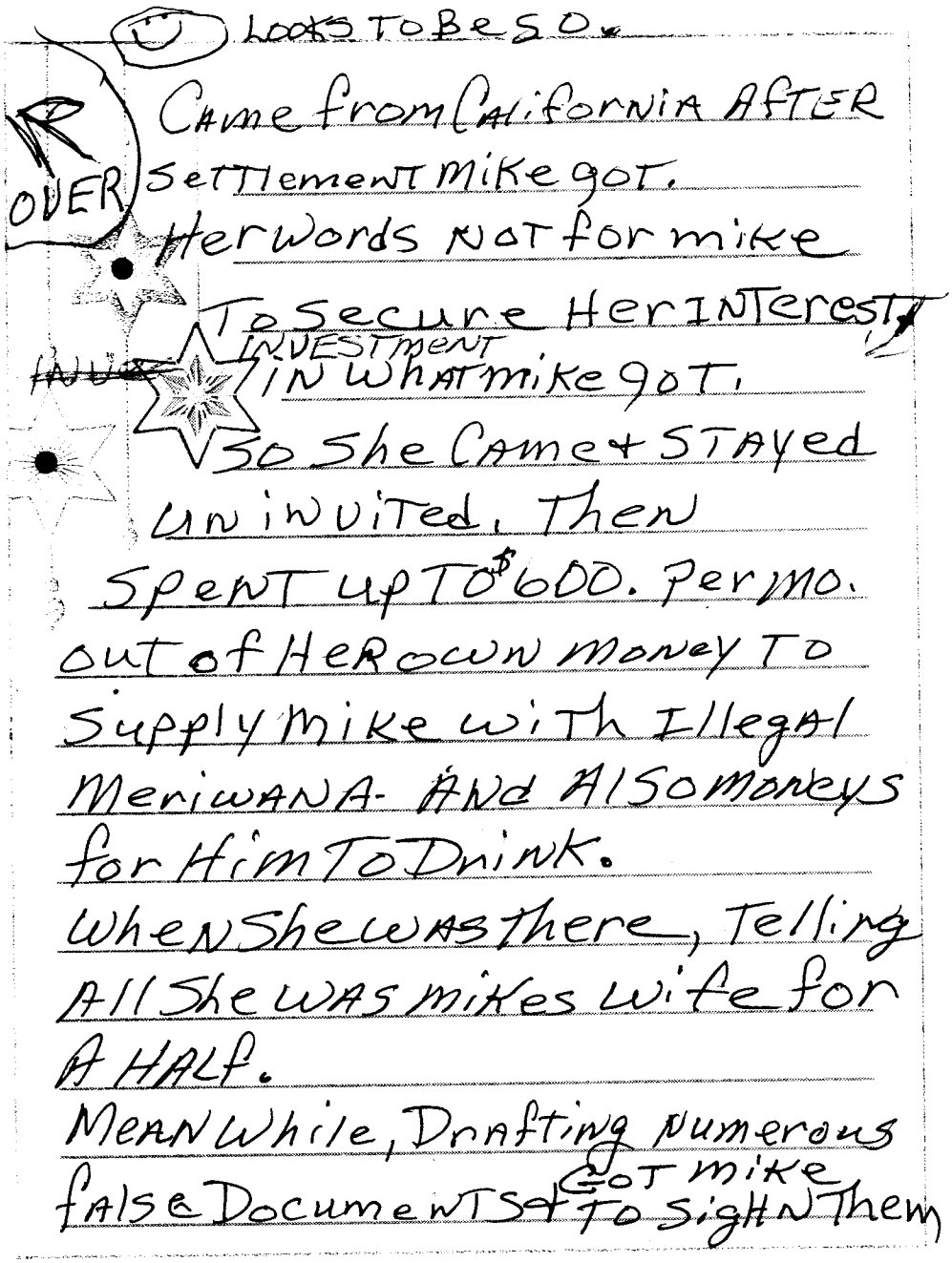
CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT E

Note Admitting Laura Lynn "Slipped up" By Signing a Mortgage as "Execuator"


LOOKS TO BE SO.

R OVER

Came from California AFTER Settlement Mike got.

Her words NOT for mike

To secure Her INTerest, INVESTMENT IN What mike got.

So She Came & STAYed UNinVited. Then SpeNT upTO $600. Per mo. out of HERocwN money TO Supply mike with Illegal MeriwANA- AND ALSO Moneys for HimTO DriNK.

WheN She WAS there, Telling All She WAS mikes wife for A HALf.

MeANWhile, DrAfting Numerous FALSE DocumeNTS GOT mike TO SigHN Them

When mike Had His 4 wheeler
Accident. Under The influince
She HAd Every Thing in Her NAme
Already. Except for A 10% Interest
CONTRACT for $150, for Properties
Truck, Tools, And Liquidation
Buisness.
She Slipped up AND wrote
The CONTRACT AS EXECUTOR
of RUAL REVIVAL TRUST.
She HAS SINCE BEEN Trying
To Coers mike into ReSighnig
ANOther NOTE for ONLY 1/2.
AfTer She got Him To Sighn
The deed + TiTle over to Her.

759 MOUNTS ONLY 2 TIMES
mike DRANK.
AfTer ABARAGE MABY
Of TEXT EMAIL TO PROSICUTING
Phone CAlls from ATTORNEY
This Person.

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-13 15:13:45
65CV-21-20
C20D01 : 5 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT D

Letter Explaining How Pietrczak Intended to Collect Over $75,000 from "Laura Lynn" Under the Pretense of Settlement, Then File this Suit

Well it's almost noon on ~~Tuesday~~ November 1st in 2016. My name is Michael Alexander ~~Pietrzak~~. My entire 44 years here on earth has been a living hell. I have finally decided exactly how to end my wretched existance here. That is my next order of business, though it will take me about one week to put it all together. I'm truely sorry to those who loved me. Dad especially you. You really tried to help. Now you have some work to do. You have all earthly rights to handle my worldly affairs. I want you to get Laura Lynn out of my house and off my land. She will be sending you

money. Use that to get her out and gone. Call my neice Alisha. ------ and make future arraingements with the here to help your care for the place. Alisha is next in line for that place. 9905 Lick Fork Rd. Witts Springs AR 72686. 3 room cabin and 40 acres of land. my truck also. All the info you might need is in my last will + testiment. Alisha LaBarre of Mount Vernon, VA. Again Dad forgive me, but there is too much pain in this world + life for me to bear. I don't see any purpose for trying to live on. Read the Bible for obituaries.

Page 3

Dad call the lawyer we went to see about the foreclosure Zack White in Heber Springs, AR He will help you with the Fore Closure + move LauraLynn out + off my Land..

Dad, please don't feel bad.

Laura Lynn ~~and~~ is the one ~~who~~ who made me decide to do this. The Malvern Police dept. just ~~Put~~ falsely accused me of a DWI. because of my Brain injury. Those are the ~~final~~ ones who ~~d~~ Brought me to this final Decision. You were an awesome help for the Other Bad Parts of my life. I just can't wish for loosing.

now, I must go. God Bless you Walter Pietrczak. ~~Pleade~~, ~~Mail~~ Thanks & Dad. Please take good care of my things. house Land truck money ~~etc~~ Creamation + all. I will always love you. your son, Laura Lynn is not invited to any services you might have. Run her off!

Michael Alexander Pietrczak II

P.S. Dad I have 2 Bank accounts 1@ Bank of the Ozarks + 1@ First National Bank in Marshall, AR. Use them or Close them. All the money Laura has paid on the mortgage has gone through these 2 Banks

P.S.S. Don't tell Laura Lynn about this or She may Stop sending money. She is supposed to send me $75,000.00 in well November 2016, this month. Mike Pietrczak 11-1-16

11-1-16

~~P~~ The only money Laura Lynn has paid me on the mortgage has been run through These 2 banks only. 11-1-16

Mike Pietrczak

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Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-13 15:13:45
65CV-21-20
C20D01 : 5 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT C

Docket of Felony Conviction for Misuse of Passport- 15 month sentence in 2008 - Pietrczak

CLOSED

U.S. District Court
Southern District of California (San Diego)
CRIMINAL DOCKET FOR CASE #: 3:08-cr-01659-JM All Defendants

Case title: USA v. Pietrczak

Date Filed: 05/22/2008

Magistrate judge case number: 3:08-mj-01362-NLS

Date Terminated: 08/22/2008

Assigned to: Judge Jeffrey T. Miller

Defendant (1)

Michael Alexander Pietrczak
TERMINATED: 08/22/2008
also known as
Andy Goodwin, Jr
TERMINATED: 08/22/2008

represented by **Stephen Edward Hoffman**
Past Client
P.O. Box 52
Bonita
Bonita, CA 91908
(619) 851-8444
Email: hbfandjm@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts	Disposition
18:1544 - Misuse of Passport (Felony) (1)	Custody of the BOP for a term of 15 months. No fine. $100 assessment is waived. Supervised release for a term of 3 years

Highest Offense Level (Opening)

Felony

Terminated Counts	Disposition
None	

Highest Offense Level (Terminated)

None

Complaints	Disposition
18:1544 - Misuse of Passport (Felony)	

Plaintiff

USA

represented by **U S Attorney CR**

		10:04-10:06). (Plaintiff Attorney AUSA Charlotte Kaiser). (Defendant Attorney Stephen E. Hoffman CJA). (mjm) [3:08-mj-01362-NLS] (Entered: 05/15/2008)
05/22/2008	5	INFORMATION as to Michael Alexander Pietrczak (1) count(s) 1. (ymm) (mam). (Entered: 05/23/2008)
05/22/2008	6	Minute Entry for proceedings held before Magistrate Judge Nita L. Stormes:Arraignment as to Michael Alexander Pietrczak (1) Count 1 held on 5/22/2008 Not Guilty plea entered, (Change of Plea Hearing set for 5/28/2008 09:30 AM in Courtroom F before Magistrate Judge Nita L. Stormes.) (Tape #NLS08-1: 1013-1031).(Plaintiff Attorney Charolette Kaiser).(Defendant Attorney Stephen Edward Hoffman). (ymm) (Entered: 05/23/2008)
05/22/2008	7	WAIVER OF INDICTMENT by Michael Alexander Pietrczak (ymm) (Entered: 05/23/2008)
05/28/2008	8	CONSENT TO PLEA before Magistrate Judge Nita L. Stormes by Michael Alexander Pietrczak. (tkl) (Entered: 05/29/2008)
05/28/2008	9	PLEA AGREEMENT as to Michael Alexander Pietrczak (tkl) (Entered: 05/29/2008)
05/28/2008	10	FINDINGS AND RECOMMENDATION as to Michael Alexander Pietrczak :Recommending that the district judge accept the defendant's plea of guilty. Objection must be filed within 14 days of the date of this order. Signed by Magistrate Judge Nita L. Stormes on 5/28/08. (tkl) (Entered: 05/29/2008)
05/28/2008	12	Minute Entry for proceedings held before Magistrate Judge Nita L. Stormes:Change of Plea Hearing as to Michael Alexander Pietrczak held on 5/28/2008. Plea tendered by Michael Alexander Pietrczak to Guilty on count 1 of the Information. All pending motions terminated as to Michael Alexander Pietrczak. All pending hearing dates vacated as to Michael Alexander Pietrczak. Accept Plea with P.O. Report set for 8/11/2008 09:30 AM in Courtroom 16 before Judge Jeffrey T. Miller. (Tape #NLS08-9:47 to 10:18)(Plaintiff Attorney Lara Stingley, AUSA)(Defendant Attorney Stephen Edward Hoffman, CJA) (gep) (Entered: 05/29/2008)
05/29/2008	11	Minute Order by Magistrate Judge Nita L. Stormes:Excludable(s) started as to Michael Alexander Pietrczak: X7 (proposed plea agreement) from 5/28/08 to 8/29/08, XT1 (continuance - tendered a guilty plea) from 5/28/08 to 8/29/08. (tkl) (Entered: 05/29/2008)
06/02/2008	13	NOTICE OF ATTORNEY APPEARANCE Caroline Pineda Han appearing for USA. (Han, Caroline) (Entered: 06/02/2008)
06/05/2008	14	NOTICE OF HEARING as to Defendant Michael Alexander Pietrczak. The Acceptance of Plea with P.O. Report and sentencing is reset for 8/15/2008 09:00 AM in Courtroom 16 before Judge Jeffrey T. Miller. Defense counsel with clients on bond shall file an acknowledgement of next court date signed by the defendant no later than 6/13/2008.(llb) (Entered: 06/05/2008)
08/04/2008	15	SENTENCING SUMMARY CHART by Michael Alexander Pietrczak (Attachments: # 1 Proof of Service)(Hoffman, Stephen) (tkl). (Entered: 08/04/2008)
08/08/2008	16	SENTENCING SUMMARY CHART *(Certificate of service included.)* by USA as to Michael Alexander Pietrczak (Han, Caroline)(tkl). (Entered: 08/08/2008)
08/15/2008	17	Minute Entry for proceedings held before Judge Jeffrey T. Miller:Court accepts Plea entered by Michael Alexander Pietrczak Guilty to Count 1 before the Magistrate Judge. Sentencing with P.O. Report held. Count 1 - Custody of the BOP for a term of 15 months. No fine. $100 assessment is waived. Supervised release for a term of 3 years. (Court Reporter Melinda Setterman).(Plaintiff Attorney Caroline Han).(Defendant Attorney Stephen Hoffman). (llb) (Entered: 08/18/2008)

U S Attorneys Office Southern District of California
880 Front Street
Room 6293
San Diego, CA 92101
(619)557-5610
Fax: (619)557-5917
Email: Efile.dkt.gc2@usdoj.gov
TERMINATED: 05/30/2008
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant United States Attorney

Caroline Pineda Han
U S Attorneys Office
880 Front Street
Room 6293
San Diego, CA 92101
(619)546-6968
Fax: (619)546-0831
Email: Caroline.Han@usdoj.gov *(Inactive)*
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant United States Attorney

Date Filed	#	Docket Text
04/29/2008		Arrest of Michael Alexander Pietrczak (1). (jjh) [3:08-mj-01362-NLS] (Entered: 05/02/2008)
05/01/2008	1	COMPLAINT as to Michael Alexander Pietrczak (1) (knh) (mam). [3:08-mj-01362-NLS] (Entered: 05/01/2008)
05/01/2008	2	Minute Entry for proceedings held before Magistrate Judge Nita L. Stormes: Initial Appearance on complaint as to Michael Alexander Pietrczak (1) held on 5/1/2008. Attorney Stephen Edward Hoffman (n/a) appointed for Michael Alexander Pietrczak (1). Government Oral Motion for Detention Hearing for Flight & Danger Risk. Detention Hearing held on 5/1/2008 - Detention Denied as to Michael Alexander Pietrczak (1). Bond set as to Michael Alexander Pietrczak (1) $50,000 P/S with 2 signatures. (Preliminary Hearing set for 5/15/2008 09:30 AM in Courtroom F before Magistrate Judge Nita L. Stormes) (Tape #NLS08 - 14:42-15:10).(Plaintiff Attorney Charlotte Kaiser, AUSA). (Defendant Attorney Candis Mitchell, FD-S/A). (jjh) [3:08-mj-01362-NLS] (Entered: 05/02/2008)
05/01/2008	3	ORDER Setting Conditions of Release. Bond set for Michael Alexander Pietrczak (1) $50,000 P/S with 2 co-signatures of FRA's. Signed by Magistrate Judge Nita L. Stormes on 5/1/08. (jjh) [3:08-mj-01362-NLS] (Entered: 05/02/2008)
05/15/2008	4	Minute Entry for proceedings held before Magistrate Judge Nita L. Stormes: Defendant Michael Alexander Pietrczak, in custody, not appearing. Preliminary Hearing as to Michael Alexander Pietrczak - not held on 5/15/2008. Preliminary Hearing cont to 5/22/2008 09:30 AM in Courtroom F before Magistrate Judge Nita L. Stormes. Excludable started as to Michael Alexander Pietrczak: XM (5/15/08 to 5/22/08). (Tape #NLS08-01-

08/22/2008	18	JUDGMENT as to Michael Alexander Pietrczak (1), Count(s) 1, Custody of the BOP for a term of 15 months. No fine. $100 assessment is waived. Supervised release for a term of 3 years. Signed by Judge Jeffrey T. Miller. (tkl) (Entered: 08/22/2008)

PACER Service Center			
Transaction Receipt			
03/08 2022 07:00:25			
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Description:	Docket Report	**Search Criteria:**	3:08-cr-01659-JM
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ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-13 15:13:45
65CV-21-20
C20D01 : 6 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT B

Responses First Set Interrogatories Propounded By Hammett to Pietrczak

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

v. **Case No. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN HAMMETT **DEFENDANTS**

PLAINTIFF'S RESPONSES FIRST SET OF INTERROGATORIES;
AND
REQUESTS FOR PRODUCTION OF DOCUMENTS
PROPOUNDED TO PLAINTIFF

Comes now the Plaintiff, Michael Pietrczak, via attorney, William Z. White, and submits the following Responses to Interrogatories and Requests for the Production of Documents:

RESPONSE TO INTEROGATORY NO. 1: Myself and Walter Pietrczak. 903 Lincoln Street, Malvern, AR 72104. (501) 467-6707.

RESPONSE TO INTEROGATORY NO. 2: William Z. White, as well as my father, Walter Pietrczak.

RESPONSE TO INTEROGATORY NO. 3: I do not know specific dates. This has been going on for the past four years. Only communication I have had with anyone regarding this matter has been with my attorney and my father.

RESPONSE TO INTEROGATORY NO. 4: Laura Lynn did sign the Mortgage Agreement as Trustee

RESPONSE TO INTEROGATORY NO. 5: See Above Response.

RESPONSE TO INTEROGATORY NO. 6: I have not been arrested or charged with anything since 2009. I was charged with public intoxication. I have been to prison for using a fake id and stolen vehicle at the Mexican Border. That has been twenty-two years ago. I served one and half year in prison in Victorville Maximum Security in California.

RESPONSE TO INTEROGATORY NO. 7: I want the Lick Ford Property returned to me in the same condition it was in at the time Lynn manipulated me into

transferring the property to her trust. I want to recover any and all missed payments, including pre- and post judgement interest, cost of any and all repairs, any and all rent collected by Lynn or the trust (with interest), an amount to be awarded by jury of compensation of pain and suffering, attorney fees, legal support staff fees, and costs.

RESPONSE TO INTEROGATORY NO. 8: Walter Pietrczak, myself, and the Defendant. No expert witnesses are planned to be called.

RESPONSE TO INTEROGATORY NO. 9: Demand Letter sent July 15, 2016. She refused to deposit checks into my account for the mortgage payment. Additionally, all documents regarding the mortgage have been included within the production of documents supplied to the Defendant

RESPONSE TO INTEROGATORY NO. 10: Laura was supposed to pay $1300 plus each month. I left an account set up in Marshall, AR for her to use for the payments. She refused to do so and started sending to my father's address. She was paying full payments at first, then decided she only wanted to pay half. I went to see an attorney because she was not paying me. He told me to sever contact with her and for me to get a POA and have no contact with her. I am not sure if this was a written agreement. I never agreed to pay her half. She made a partial payment of 658.18 on 12/31/2016. Additionally, all documents regarding the mortgage have been included within the production of documents supplied to the Defendant

RESPONSE TO INTEROGATORY NO. 11: Laura Lynn said she was the trustee of the trust. I communicated everything with her.

RESPONSE TO INTEROGATORY NO. 12: Yes, I go to the doctor. My spinal cord is crushed and severed, I have a brain injury from a 4-wheeler incident, and I am paralyzed from the waist down. I see doctors for all of those issues. I seek treatment at UAMS. I sought counseling for Laura's mental abuse when we lived in California.

RESPONSE TO INTEROGATORY NO. 13: Laura made me suicidal. I have sought treatment for this mental abuse. Even today, I cant hardly stand to hear her name right now. I don't remember the doctor's name. I have been in a psychiatric ward in Malvern. It was a five day program.

RESPONSE TO INTEROGATORY NO. 14: As far as counseling, Laura was the reason for it all.

RESPONSE TO INTEROGATORY NO. 15: I have medical bills that I owe. I did owe for a driver's license reinstatement fee. It was a couple hundred dollars. As of today, I the only debt I have is medical bills and living expenses.

RESPONSE TO INTEROGATORY NO. 16: Again, all I have is medical bills.

RESPONSE TO INTEROGATORY NO. 17: I do not recall ever doing so.

RESPONSE TO INTEROGATORY NO. 18: See response to Interrogatory 17.

RESPONSE TO INTEROGATORY NO. 19: No.

RESPONSE TO INTEROGATORY NO. 20: I did not loan the trust money.

RESPONSE TO INTEROGATORY NO. 21: I did not loan the trust money.

RESPONSE TO INTEROGATORY NO. 22: I did not loan Laura $150,000.

RESPONSE TO INTEROGATORY NO. 23: I was buying and selling household items at that time for money. I bought out Estates and resold things. I did side jobs as a handy man to provide money for Laura and I.

RESPONSE TO INTEROGATORY NO. 24: All expense that I can remember have been attached to the production of documents.

RESPONSE TO INTEROGATORY NO. 25: I have not made any distributions.

RESPONSE TO REQUEST NO. 1: See any and all exhibits attached to all pleadings contained within the circuit court record pertaining to the above captioned matter. Further, See attached production of documents.

RESPONSE TO REQUEST NO. 2: See attached production of documents.

RESPONSE TO REQUEST NO. 3: See attached production of documents.

RESPONSE TO REQUEST NO. 4: See attached production of documents.

RESPONSE TO REQUEST NO. 5: See attached production of documents.

RESPONSE TO REQUEST NO. 6: See attached production of documents.

RESPONSE TO REQUEST NO. 7: See attached production of documents.

RESPONSE TO REQUEST NO. 8: See attached production of documents.

Respectfully submitted on behalf of the Plaintiff, Michael Pietrczak.

By _____

William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☒ email, ☐ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 God Lake Club Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Monday, March 7, 2022

William Z. White

ELECTRONICALLY FILED
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65CV-21-20
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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT A

First Set Interrogatories Propounded By Hammett to Pietrczak

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

DEFENDANT LAURA LYNN HAMMETT'S FIRST SET OF

INTERROGATORIES PROPOUNDED TO PLAINTIFF

Defendant Laura Lynn ("Hammett" or "Defendant"), in pro se, pursuant to Rule 33 of the Arkansas Rules of Civil Procedure, propounds the following Interrogatories to Plaintiff, Micheal Pietrczak - --, Walter Pietrczak, Power of Attorney-in-Fact ("Plaintiff"). Plaintiff is requested to answer under oath the interrogatories set forth

below within thirty (30) days of the date of service, and thereafter supplement such answers as and when required by all applicable rules.

I. DEFINITIONS AND INSTRUCTIONS

1. Document: The terms "document" or "documents" shall have the broadest possible meaning permitted by Arkansas Rules of Civil Procedure 26 and 34 and the relevant case law, and shall include any tangible thing upon which any expression, communication, or representation has been recorded, as well as all "writings," "recordings," and "photographs," as defined by Arkansas Rule of Evidence 1001. The term "document" or "documents" shall specifically include materials stored electronically or electromagnetically (such as electronic mail, electronic files, Internet information or postings, or any other digital data storage or transmittal) and all drafts or non-final versions, alterations, modifications, and amendments to any of the foregoing, including all summary information and associated metadata. The term "document" or "documents" shall also include all attachments and enclosures, all drafts or copies that differ in any respect from the original, and all handwritten notations or notes attached on the front or back via adhesive or the like. (If copies are made of documents with notes attached on

the front or back via adhesive, they shall be produced both with and without the attached adhesive notes.). The term "document" or "documents" should also be deemed to include the file folder (whether physical, electronic, or otherwise), labeled box, or notebook containing the document, as well as any index, table of contents, list, or summaries that serve to organize, identify, or reference the document in the ordinary course of business.

2. Electronically stored information or ESI: The terms "electronically stored information" or "ESI" shall mean any information on operational systems including accounting, financial, distribution, or manufacturing systems; E-mail; Instant Messages (IM); Web pages; text messages; cell phone data; Excel spreadsheets and underlying formulae; metadata; computer databases (i.e., Access); erased, fragmented or damaged data; Blackberry data; and anything stored on computer or other electronic means located on or in, but not limited to cache memory; optical disks; magnetic tapes/back-up tapes; magnetic disks (hard drive, floppy disks, etc.); PDAs, Blackberries and Palm Pilots; cell phones; IM tools; or USB drives.

3. Communication: The term "communication" shall mean any transmission, conveyance, or exchange of information, whether by written, oral, or other means. It includes, without limitation: any meeting, discussion, contact, conference, telephone conversation, letter, e-mail transmission, Internet posting, memorandum,

document, message, telegram, telefax, mailgram, billing statement, any electronic recording, or other form of written or oral information transmission or exchange.

4. Regarding, relating to, or concerning: The terms "regarding," "relating to," or "concerning" shall mean, without limitation: comprising, alluding to, responding to, connected with, involving, commenting on, in respect of, about, discussing, evidencing, showing, describing, reflecting, analyzing, constituting, identifying, stating, or in any way touching upon.

5. Person: The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.

6. Parties: The terms "plaintiff" and "defendant," as well as a party's full or abbreviated name or a pronoun referring to a party, shall mean the party and, where applicable, its officers, directors, employees, partners, corporate parent, subsidiaries, or affiliates. This definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.

7. State/identify with particularity: With respect to any listed topic, subject or issue, the terms "state with particularity" or "identify with particularity" shall mean, and require you to: state all facts relating to the topic, subject, or issue; identify all persons who you know or believe have knowledge or information relating to the topic, subject or issue; and all communications and documents relating to the topic, subject or issue.

8. Identify (With Respect to Persons): When referring to a person, "to identify" shall mean to give, to the extent known, the person's full name, present or last known address, and, when referring to a natural person, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

9. Identify (With Respect to Documents): When referring to documents, "to identify" means to give, to the extent known: the type of document; general subject matter; date of the document; author(s), addressee(s) and recipient(s); whether or not there were drafts of the document prior to the final document, and if so, the identity of the custodian of those drafts and the date(s) of those drafts. In lieu of such description, you may attach appropriately identified copies of such documents to your answers to these Interrogatories.

10. You, Your, Plaintiff, and Pietrczak: The terms "you," "your," "Plaintiff" and shall refer to Plaintiff, Micheal Pietrczak - --, Walter Pietrczak, Power of Attorney-in-Fact, and any agents, attorneys, representatives or anyone acting on the Plaintiff's behalf or interest.

11. Hammett: The term "Hammett" shall mean Laura Lynn Hammett, an individual, also known as Laura Lynn or Laura Hammett.

12. Complaint: The term “Complaint” refers to the Complaint and Amended Complaint filed by Plaintiff in reference to the above captioned matter and any subsequent amendments thereto.

13. The Property: The Term “the Property” shall refer to the property commonly known as 9985 Lick Fork Road, Witts Spring, AR, 72686.

14. The Trust: The term “the Trust” refers to “Rural Revival Living Trust” named as a separate defendant in the Complaint.

15. The Trustee: The term “the Trustee” refers to Laura Lynn as Trustee of the Rural Revival Living Trust.

16. Micheal Pietrczak: The term “Micheal Pietrczak” shall mean the individual also known as “Michael Pietrczak”, “Mike Pietrczak” or any other name used by the person identified in Paragraph 1 of the Complaint.

17. Walter Pietrczak: The term “Walter Pietrczak” shall mean Micheal Pietrczak’s biological father.

INSTRUCTIONS

1. Pursuant to Arkansas Rule of Civil Procedure (“Rule”) 33(b), you must serve your answers to these interrogatories within 30 days after service.

2. Each interrogatory must, to the extent it is not objected to, be answered separately and fully in writing under oath. The person who makes the answers must sign them, and the attorney who objects must sign any objections.

3. The grounds for objecting to an interrogatory must be stated with specificity. Any ground not stated in a timely objection is waived unless the court, for good cause shown, excuses the failure.

4. Information requested in these interrogatories shall include information within the knowledge or possession of any of plaintiff's agents, employees, attorneys, investigators, or any other persons, firms, or entities directly or indirectly subject to plaintiff's control in any way whatsoever.

5. Each interrogatory shall be answered in its entirety. If any interrogatory or subsection thereof cannot be answered in full, it shall be answered to the fullest extent possible with an explanation as to why a complete answer is not provided.

6. If there is a claim of privilege as to any communication concerning information requested by these interrogatories, specify the privilege claimed, the communication and/or answer to which the claim is made, the topic discussed in the communication and/or answer to which that claim is made, and the basis upon which the claim is asserted.

7. If, for reasons other than a claim of privilege, you refuse to respond to any

interrogatory herein, state the grounds upon which the refusal is based with sufficient specificity to permit a determination of the propriety of such refusal.

8. These interrogatories are continuing in nature and require supplemental or additional responses in accordance with Rule 33 of the Arkansas Rules of Civil Procedure.

INTERROGATORY NO. 1

Identify all persons with knowledge of any facts relating in any way to the allegations, averments, damages, denials, relief claimed, affirmative defenses, and defenses concerning the Complaint, the Answer or any other issue in this matter, and for each such person identified, set forth his or her name, address, and current telephone number, as well as a detailed description of each person's knowledge relating to this action.

ANSWER:

INTERROGATORY NO. 2

Identify with particularity all written and oral communications between Micheal Pietrczak and Hammett referring or relating to the allegations in the Complaint. Include in your answer whether each such communication was oral or written, a description of the substance of each communication, the date of each communication, the name of the individual(s) or representative(s) making or receiving each such communication, and the outcome of the communication.

ANSWER:

INTERROGATORY NO. 3

Identify with particularity all written and oral communications between Micheal Pietrczak and any third party relating to the allegations in the Complaint. Include in your answer whether such communication was oral or written, a description of the substance of each communication, the date of each communication, and the name of the individual(s) making or receiving each such communication.

ANSWER:

INTERROGATORY NO. 4

Do You contend that Hammett, as an individual, signed the Mortgage Agreement attached to the Complaint as Exhibit 5 ("Mortgage Agreement")?

ANSWER:

INTERROGATORY NO. 5

If Your answer to Interrogatory No. 4 is an affirmation, identify all facts or application of law to fact in support of your contention that Hammett signed the Mortgage Agreement as an individual.

ANSWER:

INTERROGATORY NO. 6

If Micheal Pietrczak has ever been arrested, charged, convicted of, or pleaded guilty to a crime, state the date of each arrest, arraignment, conviction, or plea, the court in which such was rendered, and the exact nature of such crime. In your response, identify all persons with knowledge of such response and/or the facts set forth in this response, and identify all documents which relate to or support your response to this Interrogatory.

ANSWER:

INTERROGATORY NO. 7

State with particularity any and all damages that You seek from HAMMETT in this action, including any actual, emotional or financial damages, or out-of-pocket expenses. For each measure of damages you seek, indicate whether that damage is actual, statutory, emotional, or financial, indicate the date those damages were incurred, the calculation, breakdown or computation associated with those damages, and identify all persons with knowledge of your answer and documents which support your answer.

ANSWER:

INTERROGATORY NO. 8

Identify all witnesses from whom You expect to elicit any lay or expert opinion testimony at a hearing or trial of this matter. For each witness identified, state the subject matter on which the witness is expected to testify, the substance of the facts and opinions to which the witness is expected to testify, a summary of the grounds for such opinion, and, for each expert witness, the educational background, the compensation you have provided and will provide each expert through trial, all

compensation and the source compensation received by that expert for providing expert testimony for the last five years, and work experience that qualified that person to testify as an expert witness.

ANSWER:

INTERROGATORY NO. 9

Identify all Documents that Micheal Pietrczak transmitted to Hammett or that Hammett transmitted to Micheal Pietrczak regarding the Mortgage Agreement.

ANSWER:

INTERROGATORY NO. 10

Identify all demands for payment on the Mortgage Agreement that Micheal Pietrczak made upon Hammett. For each such demand, identify the way such demand was communicated, date, person acting on behalf of Micheal Pietrczak and response received.

ANSWER:

INTERROGATORY NO. 11

Identify all demands for payment on the Mortgage Agreement that Micheal Pietrczak made upon The Trustee. For each such demand, identify the way such demand was communicated, date, person acting on behalf of Micheal Pietrczak and response received.

ANSWER:

INTERROGATORY NO. 12

Identify every time that Micheal Pietrczak received, or sought out, medical treatment (for both physical and mental conditions) since December 25, 2009. For each such incident of medical treatment, please identify the medical provider treated with, the name of the medical practice, the date of such treatment, the reason Micheal Pietrczak sought such medical treatment, and any diagnosis received.

ANSWER:

INTERROGATORY NO. 13

If you claim that Hammett's conduct caused Micheal Pietrczak physical, mental, or emotional damage, please describe all damage you attribute to Hammett, the date such damage occurred, and identify any witnesses to such damage.

ANSWER:

INTERROGATORY NO. 14

For any damage identified in interrogatory 13 that you attribute to Hammett, please state whether Micheal Pietrczak ever had the same or similar issues prior to the allegations in the Complaint, the date of such issues, the substance of such issues, and identify any witnesses to such issues.

ANSWER:

INTERROGATORY NO. 15

Identify all debts owed by Micheal Pietrczak as of December 25, 2009.

ANSWER:

INTERROGATORY NO. 16

Identify all debt incurred by Micheal Pietrczak after December 25, 2009. For each debt, state the date incurred, all payments made toward that debt, and to whom the debt was owed.

ANSWER:

INTERROGATORY NO. 17

Did Micheal Pietrczak revoke the Durable Power of Attorney to Walter Pietrczak attached to the Complaint as Exhibit 1 ("POA")?

ANSWER:

INTERROGATOTY NO. 18

If the answer to Interrogatory No. 18 is affirmative, identify the document in which the revocation was made.

INTERROGATORY NO. 19

Regarding Complaint paragraph 15, does the "repayment of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 ($150,000.00) from the Rural

Revival Living Trust to Pietrczak" imply that Micheal Pietrczak loaned $150,000 to the Rural Revival Living Trust?

ANSWER:

INTERROGATORY NO. 20:

Did Micheal Pietrczak loan $150,000 to the Trust?

ANSWER:

INTERROGATORY NO. 21:

Did Micheal Pietrczak loan $150,000 to the Trustee?

ANSWER:

INTERROGATORY NO. 22:

Did Micheal Pietrczak loan $150,000 to Hammett?

ANSWER:

INTERROGATORY NO. 23:

Identify all income to Micheal Pietrczak from December 25, 2009 until March 22, 2016. Include the date the income was produced and what goods or services were the cause of the income.

ANSWER:

INTERROGATORY NO. 24:

Identify all expenses paid to produce the income identified in Interrogatory No. 23.

ANSWER:

INTERROGATORY NO. 25:

Identify each distribution Micheal Pietrczak made as Trustee of the Laura Lynn Living Trust. Identify each distribution by date, whom received the distribution and amount of the distribution.

ANSWER:

Respectfully Submitted,

_____

Laura Lynn Hammett

Defendant in Pro Se

16 Gold Lake Club Road

Conway, AR 72032

Bohemian_books@yahoo.com

(760) 966-6000

CERTIFICATE OF SERVICE

The First Set of Interrogatories propounded by Defendant to Plaintiff was mailed by USPS certified mail restricted delivery to:

William Z. White

P.O. Box 1087 (Postal)

Heber Springs, AR 72543

(501) 365-3934 Office

E-mail: wzwhite@wzwhite.com

On November 4, 2021

By _____

Laura Lynn Hammett

16 Gold Lake Club Road

Conway, AR 72032

Bohemian_books@yahoo.com

(760) 966-6000

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK **PLAINTIFF**

v.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

LAURA LYNN HAMMETT'S MOTION TO FIND ATTORNEY WILLIAM Z. WHITE AND PLAINTIFF MICHEAL PIETRCZAK IN CRIMINAL CONTEMPT

Comes Laura Lynn Hammett, as an individual, who states:

1. The Court, Judge Susan Kaye Weaver presiding, entered an order on February 25, 2022 ("the Order").
2. Paragraph 11 of the Order states:

   "On December 22, 2021, the Defendant filed a Motion to Compel Discovery. The Plaintiff neither produced the requested documents nor

responded to the Motion to Compel. Pursuant to Ark. R. Civ. P. 37(a), the Court grants the motion and orders the Defendant to comply with the discovery requests within ten (10) days from the entry of this Order."

3. Because this amount is less than 14 days, weekends are not included in the computation of time. Ark. R. Civ. P. 6(a). Accordingly, the response was due on March 11, 2022.
4. Hammett's interrogatories propounded are attached as Exhibit A.
5. Plaintiff's responses are attached as Exhibit B.
6. The answers did not repeat the interrogatories before the answers.
7. The answers to the interrogatories were not verified nor signed by Micheal Pietrczak.
8. The answers were incomplete and perjury, if signed by Micheal Pietrczak.
9. For example, the Response to Interrogatory No. 6 signed by Mr. White stated:

   "I have been to prison for using a fake id and stolen vehicle at the Mexican Border. That has been twenty-two years ago."

10. Hammett asks the Court to take judicial notice of the Docket for Pietrczak's plea agreement in case 3:08-cr-01659-JM attached as Exhibit C.
11. Micheal Pietrczak was fresh out of prison when he met Laura Lynn (now Laura Hammett) in December 2009 and began his fraud to obtain and keep all Hammett's assets.
12. Micheal Pietrczak through Mr. White filed and litigated a substantially identical case previously as 65CV-18-8. At that time Laura Lynn and Rural Revival Living Trust were represented by attorney Rick Watson.

13. The case was dismissed for lack of prosecution on May 4, 2020. At that time, Mr. White and Mr. Pietrczak had refused to answer any interrogatories or comply with subpoenas to take Mr. Pietrczak's deposition.
14. Mr. White is aware that Mr. Pietrczak was committing fraud on Laura Lynn Hammett by the use of a confusing property settlement with the use of a trust that Micheal Pietrczak concocted.
15. Mr. White produced two handwritten notes, one signed by Micheal Pietrczak. True and correct copies of the notes are attached here as Exhibit D and Exhibit E.
16. Exhibit D is a "suicide" note dated November 1, 2016. This was less than three months before Mr. Pietrczak's "accident" of falling from a two story high tree that left him paralyzed, but not dead.
17. Micheal Pietrczak wrote to Walter Pietrczak, inter alia:

"[Laura Lynn] will be sending you money. Use that to get her out and gone."

"Dad call the lawyer we went to see about the foreclosure Zack White in Heber Springs, AR He will help you with the foreclosure + make Laura Lynn out + off my land."

"Don't tell Laura Lynn about this or she may stop sending money. She is supposed to send me $75,000 in well November, 2016, this month."

18. Clearly, the Pietrczak's were defrauding Hammett by telling her the matter would be settled if she sent half the money the unmarried couple paid for the property. This was repeated numerous times, in addition to the "husband and wife in the eyes of God" agreement the Court deemed "void ab initio" after

the October 7, 2021 hearing. It was repeated on a recorded call, (a copy presented to Mr. White), under penalty of perjury in an arbitration, and evidenced by this "suicide" note.

19. Exhibit E was written in the third person. It says, inter alia with grammatical, capitalization and spelling errors as shown:

"When Mike Had His 4 wheeler Accident. Under the influence She had EveryThing iN Her Name Already. Except for a 10oo iNTerest CONTRACT for $150, for properties Truck, Tools, And LiquidatioN Business. She slipped up And wrote The ConTrAcT As ExeuAtor of RuAl RevivAL Trust."

Corrected for capitalization: "When Mike had his 4 wheeler accident. Under the influence she had everything in her name already. Except for a 10.00 interest contract for $150, for properties truck, tools, and liquidation business. She slipped up and wrote the contract as executor of Rual Revival Trust."

20. Yes, Micheal Pietrczak was able to convince Laura Lynn to sign the mortgage for the trust as trustee, knowing that Laura Lynn would not be allowed to represent the trust in court, even if she was trustee. Laura Lynn "slipped up".
21. But the mortgage was not accompanied by a promissory note, a sales price, a loan, or a guarantor for the trust that held no assets other than the

mortgaged property. The mortgage was a legal document written by two non-attorneys on behalf of a trust, and was therefore void ab initio.

22. Laura Lynn retained counsel to represent the trust in 2018. She is unable to find an attorney who will touch the 2021 filing. Even the attorney, Rick Watson, who had the case dismissed once, will not take any cases in Searcy County since Judge Weaver took the bench. (A recording of a conversation with Mr. Watson's assistant in which she states this is available upon request.)

23. Mr. Pietrczak did not limit his fraud to Laura Lynn Hammett.

24. Mr. White provided copies of monthly payments Hammett made to Pietrczak until he refused to open escrow to exchange the $75,000 from Hammett and a full release of any and all claims by either party.

25. A copy of the cashed checks, many altered by Mr. Pietrczak writing notes, is attached as Exhibit F.

26. Despite receiving monthly payments of $658.18 through September 2016, Micheal Pietrczak filed an application for assistance from UAMS after his drunk driving accident that stated he had no income and no assets.

27. A true and correct copy of his application redacted of account numbers, etc, is attached as Exhibit G.

28. Micheal Pietrczak's defrauded Hammett of hundreds of thousands of dollars. Now Mr. White and Mr. Pietrczak are asking the Court to transfer the little Hammett has left by giving all Rural Revival Living Trust property to the fraudsters, without providing the Court ordered discovery responses.

29. Because the plaintiff refuses to give proper discovery responses, even after the Order of the Court, and the plaintiff's conduct is willful and calculated to

defraud Hammett. UAMS, the IRS and the Court, Hammett moves the Court to dismiss the complaint in its entirety as sanctions under ARCP 37.

Brief In Support

30. "Each interrogatory shall be answered separately and fully in writing under oath, unless it is objected to, in which event the objecting party shall state the reasons for objection and shall answer to the extent the interrogatory is not objectionable." *Rule 33 - Interrogatories to Parties*, Ark. R. Civ. P. 33(b)(1)
31. "The party answering interrogatories shall repeat each interrogatory immediately before the answer or objection. The answers are to be signed by the person making them and the objections signed by the attorney making them." *Rule 33 - Interrogatories to Parties*, Ark. R. Civ. P. 33(b)(2)
32. "If a party or an officer, director or managing agent of a party or a person designated under Rule 30(b)(6) or 31(a) to testify on behalf of a party fails to obey an order to provide or permit discovery, including an order made under subdivision (a) of this rule or Rule 35, the court in which the action is pending may make such orders in regard to the failure as are just, and among others the following:

    (A) An order that the matters regarding which the order was made or any other designated facts shall be taken to be established for the purposes of the action in accordance with the claim of the party obtaining the order;
33. (B) An order refusing to allow the disobedient party to support or oppose designated claims or defenses, or prohibiting him from introducing designated matters in evidence;

34. (C) An order striking out pleadings or parts thereof, or staying further proceedings until the order is obeyed, or dismissing the action or proceeding or any part thereof, or rendering a judgment by default against the disobedient party;
35. (D) In lieu of any of the foregoing orders or in addition thereto, an order treating as a contempt of court the failure to obey any orders except an order to submit to a physical or mental examination;
36. Rule 37 - Failure to Make Discovery; Sanctions, Ark. R. Civ. P. 37

WHEREFORE, Laura Lynn Hammett respectfully asks this Court to dismiss the matter with prejudice and refer the case against Micheal Pietrczak, Walter Pietrczak and William Z. White to the prosecuting attorney for alleged financial fraud against a 59 year old woman, UAMS and the Internal Revenue Service.

March 13, 2022

Respectfully submitted,
/S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

CERTIFICATE OF SERVICE

I hereby certify that, on March 13, 2022 I electronically filed **LAURA LYNN HAMMETT'S MOTION TO FIND ATTORNEY WILLIAM Z. WHITE AND MICHEAL PIETRCZAK IN CRIMINAL CONTEMPT**

with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

March 13, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-14 11:26:29
65CV-21-20
C20D01 : 4 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE DEFENDANT LAURA LYNN AND COUNTERCLAIMANT LAURA LYNN HAMMETT'S REPLY MOTION FOR STAY OF PROCEEDINGS

Comes Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett ("Lynn"), in pro se, and for her Reply to Motion for Stay of Proceedings, states as follows:

1. In contradiction to Plaintiff's Response to the Motion for Stay, Hammett did not lie to the Court that working since March 4, 2022 has been difficult for Hammett. Hammett has video of herself just after vomiting and the vomit in a 5-gallon pail, which she does not have the technological skill to transfer from her phone but can show the Court at the next hearing if the Court allows the electronic device to be brought into the courtroom.
2. Hammett went to Sherwood Urgent Care on Saturday March 12, 2022 and was diagnosed with an infection and prescribed antibiotics. Hammett will bring the prescription to the next hearing.
3. Hammett wrote her motion for a stay before her primary care physician saw the test results. Hammett wrote that there were "indications" in her blood work; Hammett did not diagnose herself. The following Monday, the Physician ordered a recheck on the blood work because of the "slight predominance of neutrophils on your white blood cell differential".
4. Hammett only repeated the data as analyzed on her blood results with ranges of normal given and the abnormal results flagged in red.
5. Hammett lost three pounds between March 4, 2022 and March 12, 2022. While Hammett welcomed this weight loss, it was an indication that she was not eating as much as usual, especially because she had no exercise during the week and still lost weight.
6. Hammett made a monumental effort to fulfill the subpoena for "all items pertaining to Laura Lynn" since January 2009 in the 10 days provided. Mr.

White threatened Hammett with a contempt motion if she did not fulfil the overburdensome subpoena, and the Court appears to Hammett to have a bias against her, therefore she did as much as physically possible under the circumstances. It was impossible for Hammett to drive until March 12, 2022 and so she had to scan documents and forward emails.

7. Medical records are not hearsay. They are notes taken contemporaneously in the course of business. Mr. White is accusing Baptist Health and Quest Diagnostic with a lack of "veracity".
8. A William Z. White pled guilty to speeding in Crittenden Court 18 in case ONS-19-3656 and the officer involved said Mr. White lied to him that the officer clocked a different car.
9. A William Z. White in Arkansas has a history of writing "hot checks", according to Court Connect, case number CW97-C-6967.
10. Currently, Mr. William Z. White is prosecuting this case for the Pietrczaks, even though he was in possession of the Pietrczak letter of November 1, 2016 planning to defraud Hammett of another $75,000 before filing this malicious prosecution. Mr. Pietrczak told Hammett that he was settling for $75,000 and would not ask for anything more, knowing that "Zack White" in Heber Springs was going to file a foreclosure action on the property even after the $75,000 payment and the hundreds of thousands of dollars Pietrczak already stole or defrauded from Hammett.
11. The Court has discretion to order Hammett to attend the hearing on March 17, 2022. Hammett has no criminal arrests and has never been found in contempt of court and will comply with the court's orders to the best of her

ability. She preserves her right to appeal orders that result if the court compels Hammett to represent herself while ill and on medications.

WHEREFORE, Separate Defendant Laura Lynn and Counterclaimant Laura Lynn Hammett, prays that the proceedings be stayed briefly to give Hammett's body a chance to mend and for the antibiotics to work. A week would be appropriate.

Respectfully submitted,

CERTIFICATE OF SERVICE

I hereby certify that, on March 14, 2022 I filed this reply on the e-Flex system which causes service upon the attorney of record William Z. White.

March 14, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

ELECTRONICALLY FILED
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65CV-21-20
C20D01 : 2 Pages

SPACE RESERVED FOR COURT FILING PURPOSES:

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

v. **Case No. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN HAMMETT **DEFENDANTS**

PROOF OF SERVICE

On March 8, 2022, Laura L. Hammett was served with all Requests for Production of Documents via USPS Certified Mail – Return Receipt Tracking Numbers: 7019 1640 0001 3518 9928 and 7019 1640 0001 3518 9935. See Attached **Exhibit 1: USPS Return Receipt.**

Respectfully submitted on behalf of
the Plaintiff, Michael Pietrczak,
By: */s/ William Zac White*
William Z. White (AR Bar No. 2007255)
706 West Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Laura L. Hummett
16 Gold Lake Club Rd
Conway, AR 72032

9590 9402 6630 1028 4495 79

2. Article Number *(Transfer from service label)*

7019 1640 0001 3518 9928

COMPLETE THIS SECTION

A. Signature

X

☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Laura L. Hummett
16 Gold Lake Club Rd
Conway, AR 72032

9590 9402 6630 1028 4495 86

2. Article Number *(Transfer from service label)*

7019 1640 0001 3518 9935

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

PENGAD 800-631-6989

EXHIBIT

1

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Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-14 16:32:40
65CV-21-20
C20D01 : 1 Page

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST AND LAURA LYNN HAMMETT **DEFENDANT**

ORDER

Comes now the Court, after reviewing the Defendant's Motion for Stay and Motion for Stay of Proceedings Default Judgment, does find and order as follows:

1. Defendant filed a Motion for Stay Under Seal on March 5, 2022. Said document was already sealed at the time of filing, so the motion is moot.
2. Defendant filed a Motion for Stay of Proceedings on March 5, 2022. This motion is denied.

IT IS SO ORDERED.

Judge Susan K. Weaver

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Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-14 19:11:31
65CV-21-20
C20D01 : 5 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK **PLAINTIFF**

v.

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANTS**

SEPARATE COUNTERCLAIMANT LAURA LYNN HAMMETT'S OBJECTION TO AMENDMENT OF CAPTION

Comes Separate Counterclaimant Laura Lynn Hammett, in pro se, and for her objection to the Court's sua sponte amendment of the caption, states:

1. The Court entered an order denying stay of these proceedings today, March 14, 2022.
2. In the order, the Court amended the defendants named in the caption of the case from "Rural Revival Living Trust and Laura Lynn" to "Rural Revival Living Trust and Laura Lynn Hammett".

3. Laura Lynn Hammett, the counterclaimant, whose counterclaim was already dismissed sua sponte by the Court, must be sued by her legal name, Laura Lynn Hammett.
4. Laura Lynn Hammett informed the Court and the plaintiff of her legal name change on June 10, 2021, when she filed her answer and counterclaim without service of summons.
5. Hammett informed the Court and the Plaintiff of her legal name change at each of two hearings and on each of the profuse number of documents filed in this case by Hammett.
6. On each document, Laura Lynn Hammett differentiated between defendant Laura Lynn and Counterclaimant Laura Lynn Hammett.
7. Because of plaintiff's profuse use of the character chain "and/or" in the complaint, Hammett could not know whom the plaintiff made allegations against, and therefore denied all allegations. (Most of the allegations were denied on other grounds as well.)
8. Hammett purposefully differentiated between Laura Lynn and Laura Lynn Hammett on the answer to the indefinite complaint and her counterclaim, because she was not certain who the plaintiff was referring to…Laura Lynn as trustee of the Rural Revival Living Trust or Laura Lynn, an individual. The plaintiff and the Court further confused the issue by serving the one and only summons served on "Rural Revival Living Trust c/o Laura Lynn (Now Hammett)" and then stating that Laura Lynn (now Hammett) is the proper way to address the trustee.
9. The Court and the plaintiff failed to amend the misnomer until 277 days after being informed of Laura Lynn's legal name change to Laura Lynn Hammett.

10. For the reasons briefed below, it is too late to change the name of a defendant in the caption, and even the Court must comply with the Rules of Civil Procedure and give notice of a motion to amend with an opportunity for a response in opposition.

BRIEF

11. "When the mistake in naming the party is so substantial or material as to indicate a different entity, it is fatal." Wright v. Viele, 2013 Ark. App. 471, 429 S.W.3d 314 (2013)
12. "A 'misnomer' is a mistake in naming a party." Id.
13. "A summons that identified the registered agent of the defendant but not the name of the defendant in the 'directed to' provision of the summons was fatally defective, and thus the plaintiff's [] action against the defendant had to be dismissed, even though the caption of the summons correctly designated the name of the defendant, and even though the defendant answered the complaint and participated in the litigation, where defendant's registered agent was inexplicably listed as a 'claimant' in the caption. 45 U.S.C.A. § 51 et seq.; Ark. R. Civ. P. 4(b)." *Union Pac. R.R. Co. v. Skender*, 2016 Ark. App. 206, 489 S.W.3d 176 (2016) In the case at bar, "Laura Lynn" was inexplicably named as a defendant, even after the Court and the Plaintiff were made aware of the error.
14. An amendment of a pleading relates back to the date of the original pleading when: [] **(2)** the amendment changes the party or the naming of the party against whom a claim is asserted if the foregoing provision (1) is satisfied and, within the period provided by Rule 4(i) for service of the summons and

complaint, the party to be brought in by amendment (A) has received such notice of the institution of the action that the party will not be prejudiced in maintaining a defense on the merits and (B) knew or should have known that, but for a mistake concerning the identity of the proper party, the action would have been brought against the party. *Rule 15 - Amended and Supplemental Pleadings*, Ark. R. Civ. P. 15

15. Rule 4(i) limits the time allowed to amend the name of the defendant to 120 days. It is well beyond that limit.
16. Laura Lynn Hammett requested a more definite statement of the complaint twice and was denied. Hammett could not decipher who the claims were against because of the plaintiff's use of the character chain "and/or" which proliferated throughout the complaint.
17. The plaintiff has obtained a default judgment against the Rural Revival Living Trust, the other party named in the "and/or" sentences. Therefore, it is reasonable to believe the Rural Revival Living Trust satisfies the liability alleged in the ambiguous complaint.
18. Plaintiff's refusal to call the woman he defrauded out of hundreds of thousands of dollars by her legal married name for over 276 days of aggressive litigation was not an oversite. It increases the appearance of bias by Judge Susan Kaye Weaver that she sua sponte made the correction for the plaintiff with no motion pending.

I, Laura Lynn Hammett, counterclaimant, object to the amendment of the caption of the complaint to introduce me as a defendant after 276 days. I ask the Court to make its judgment against the Rural Revival Living Trust and

dismiss the claims against Laura Lynn, as the Court realizes that any judgment against Laura Lynn would be of no effect. That will make the case ripe for appeal and economize resources.

Respectfully submitted,

CERTIFICATE OF SERVICE

I hereby certify that, on March 14, 2022 I filed this reply on the e-Flex system which causes service upon the attorney of record William Z. White.

March 14, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Counterclaimant, pro se

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Mar-18 09:12:43
65CV-21-20
C20D01 : 4 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 1
Email Chain

Re: Pietrczak v Rural Living Trust Et Al Transcript request

From: William Z. White (wzwhite@wzwhite.com)

To: bohemian_books@yahoo.com

Cc: brooke@wzwhite.com; chris@wzwhite.com

Date: Friday, March 18, 2022, 07:28 AM CDT

Also, I noticed in your discovery responses you did not include any financials for the rural revival trust. I read in several of your other losing cases you refused to turn over financials in an attempt to evade child support. Such an honorable and stand up move denying your child support. It really speaks of your low moral character. This is my only good faith attempt to resolve this discovery dispute. It I do not have the financial documents or a location where I may obtain them by Monday March 21, 2022 by 5:00 pm I will be filing a motion for contempt and discovery sanctions.

Also, if you do not remove your blog I will be filing a defamation action against you personally on behalf of myself and any of my office members you have disparaged. Mike really enjoyed our visit yesterday afternoon. So did the real estate broker.



This message was sent from my iPhone. Please excuse any typographical or punctuation errors.

On Mar 18, 2022, at 6:50 AM, William Z. White <wzwhite@wzwhite.com> wrote:

I guess you'll enjoy your first motion for contempt today. It's been a pleasure beating you and your astonishing legal mind. I have already began contacting the other attorneys in your other frivolous lawsuits to let them know you and the trust have no ownership in the real property. I wonder what that will do to your standing. Yesterday was a real highlight in my legal career. I thank you for it.

This message was sent from my iPhone. Please excuse any typographical or punctuation errors.

On Mar 18, 2022, at 6:37 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

Mr. White,

I turned over any keys I had, which was none.

Laura Hammett

On Thursday, March 17, 2022, 08:27:54 PM CDT, William Z. White <wzwhite@wzwhite.com> wrote:

Ms. Lynn Hammett:

You were given 24 hours to turn over the keys to the property. You may deliver the keys to my office or the Searcy County Circuit Court.

This message was sent from my iPhone. Please excuse any typographical or punctuation errors.

On Mar 17, 2022, at 5:24 PM, Jana Perry <jana.perry@faulknercounty.org> wrote:

Ms. Hammett,

I estimate the cost of the transcript to total $123. I have three appeals due within the next two weeks, so I will start your transcript once those are completed. Please remit payment to:

Jana Perry, CCR
PO Box 151
Greenbrier, AR 72058

Thank you,

Jana Perry, CCR
Official Court Reporter
Judge Susan Weaver
20th Judicial Circuit
First Division
501-450-4955
Fax 501-450-4977
jana.perry@faulknercounty.org

Sent from my iPhone

On Mar 17, 2022, at 3:19 PM, Laura Lynn <bohemian_books@yahoo.com> wrote:

Ms. Perry,

I would like to purchase a certified copy of the March 17, 2022 hearing on case no. 65CV-21-20.

Please tell me the cost, address to mail a check to and an approximate time for production.

Thank you,

Laura Hammett

CAUTION: This email originated from outside of the Faulkner County Email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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65CV-21-20
C20D01 : 5 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

MOTION FOR WRITTEN ORDER AND LAURA LYNN HAMMETT'S RENEWED OBJECTION TO EXCLUSION FROM PARTICIPATION IN A TRIAL OF ISSUES IN WHICH SHE HAS POTENTIAL JOINT LIABILITY

Comes Separate Defendant misnomered Laura Lynn and Counterclaimant Laura Lynn Hammett, in pro se, and for her Motion for the Court to Make a Written Statement of Opinion, states as follows:

1. The above captioned case came for "final hearing" and "trial" on what the Court said was only the issue of damages for a default judgment entered against Rural Revival Living Trust on March 17, 2022.
2. The complaint had numerous ambiguities created by attorney William Z. White's use of the character chain "and/or". The Court denied Hammett's motions for a more definite statement.
3. The "and/or" averments might create joint liability between the two defendants.
4. Mr. White expressed an intent to "dismiss" Laura Hammett as an individual from the complaint. But the Plaintiff and Counsel each accused Hammett as an individual of taking property that they claimed belonged to Micheal Pietrczak. Hammett as an individual, in fact, owned much of the personal property Mr. Pietrczak claimed that he owned. Hammett did not hear the Court dismiss Laura Lynn Hammett before proceeding with the non-jury trial.
5. Mr. White has already written two emails in which he threatens Hammett with contempt charges related to production of documents that belong to the Rural Revival Living Trust, with no third party notification of the subpoena filed, and not a valid motion for other purposes as well.
6. Mr. White also wrote: "I have already began contacting the other attorneys in your frivolous lawsuits to let them know you and the trust have no ownership in

the real property." The Court said we were only allowed to discuss the Rural Revival Living Trust, and not Hammett as an individual yesterday.

7. A true and correct copy of the email chain is attached as Exhibit 1.

8. The Court was not allowed to proceed against solely the defaulting defendant on issues of potential joint liability until the individual Hammett was found guilty by a jury of her peers.

9. The Court would not allow Laura Hammett to make objections, be a fact witness or present the evidence she had brought that shows that Micheal Pietrczak has no representation agreement with Mr. White and might argue that he is not bound by Mr. White's agreement to dismiss Laura Lynn Hammett as an individual from the case. The Court was adamant that Laura Hammett would be committing the unauthorized practice of law if Hammett made objections or introduced evidence that Hammett said was to protect her individual interests. The Court would not allow Hammett to ask Mr. Pietrczak any questions on cross examination, so Hammett could not ascertain that Mr. Pietrczak's presence as a witness indeed accepted the apparent representation by Mr. White.

10. The Court made a lengthy order and the court reporter Jana Perry said she has three jobs ahead of this transcription. It is likely that Hammett will not receive her transcript until after the time for written objections to the order are due. Therefore, barring a written order by the Court, Hammett objects to all orders that affect her as an individual made at the hearing on March 17, 2022, except an order to dismiss Hammett, misnomered Laura Lynn, with prejudice.

11. Laura Lynn Hammett respectfully requests the Court to make a written order that includes that the individual Laura Lynn Hammett was dismissed with prejudice, completely faultless as to any damages against Micheal Pietrczak,

before the Court held the damages portion of the default judgment, or calls the hearing of March 17, 2022 a mistrial because a defendant with potential joint liability was not allowed to call witnesses, cross-examine the opposition's witness and was not allowed to present evidence.

BRIEF IN SUPPORT

12. "Pursuant to Administrative Order 2(b)(2), an oral order announced from the bench does not become effective until reduced to writing and filed. *McGhee v. Arkansas Bd. of Collection Agencies, 368 Ark. 60, 243 S.W.3d 278 (2006)*. Moreover, Ark. R. Civ. P. 58 (2006) provides that '[a] judgment or order is effective only when so set forth and entered as provided in Administrative Order No. 2.' This rule eliminates or reduces disputes between litigants over what a trial court's oral decision in open court entailed. McGhee v. Arkansas Bd. of Collection Agencies, supra. If a trial court's ruling from the bench is not reduced to writing and filed of record, it is free to alter its decision upon further consideration of the matter. Id. Simply put, the written order controls." *Nat'l Home Centers, Inc. v. Coleman, 370 Ark. 119, 120–21, 257 S.W.3d 862, 863 (2007*)

13. "In a multi-defendant case in which defendants are alleged to be jointly liable, the proper course is to postpone decision on a motion for default judgment against one defendant until the case against the other defendants concludes; if the other defendants lose, the default judgment can then be entered against the non-appearing party, and if the litigating parties win, the default judgment motion should be denied." *Lemache v. Tunnel Taxi Mgmt., LLC*, 354 F. Supp. 3d 149 (E.D.N.Y. 2019) This is not in the same jurisdiction, but Hammett intends to take the Constitutional issues of due process including the right to bring witnesses and

evidence before the Court in a trial where the defendants have joint liability to the United States Supreme Court. The dicta is informative.

March 18, 2022.

Respectfully submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, misnomered Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on March 18, 2022, I electronically filed Motion for Written Order and Laura Lynn Hammett's Renewed Objection to Continuance; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

March 18, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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Searcy County Circuit Court
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65CV-21-20
C20D01 : 2 Pages

Space Reserved for Court Filing Purposes:

IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN HAMMETT **DEFENDANTS**

PLAINTIFF'S MOTION TO VOLUNTARILY NONSUIT CLAIMS AGAINST INDIVIDUAL DEFENDANT LAURA LYNN HAMMETT
AND
ENTRY OF ORDER DISMISSING WITH PREJUDICE

Comes now Plaintiff, Michael Pietrczak, via attorney, William Z. White, who in support of this Motion to Voluntarily Nonsuit and to Dismiss with Prejudice, states and alleges as follows:

1. Plaintiff filed his Complaint for Damages on April 23rd, 2021.

2. There are no pending counterclaims against Plaintiff.

3. Plaintiff wishes to abandon any and all of his claims against individual Defendant Laura Lynn Hammett pursuant to Ark. R. Civ. P. 41.

4. This would be the second dismissal of claims against individual Defendant Laura Lynn Hammett. Therefore, said dismissal should be with prejudice.

WHEREFORE, Plaintiff, Michael Pietrczak respectfully requests that this Court: (1) grant his Motion to Voluntarily Nonsuit Claims Against Individual Defendant Laura Lynn Hammett and Entry of Order Dismissing With Prejudice; and (2) grant Plaintiff any and all other relief that Plaintiff may be entitled whether specifically requested herein or not.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Laura Lynn Hammett
16 Gold Lake Clube Road
Conway, AR 72032
Bohemian_books@yahoo.com

Dated: Tuesday, March 22, 22

_____
William Z. White

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65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

LAURA LYNN HAMMETT'S RESPONSE TO PLAINTIFF'S MOTION TO DISMISS DEFENDANT LAURA LYNN HAMMETT WITH PREJUDICE

Comes Separate Defendant misnomered Laura Lynn and Counterclaimant Laura Lynn Hammett, in pro se, and for her response to plaintiff's motion to dismiss defendant Laura Lynn Hammett with prejudice, states as follows:

1. Plaintiff named a defendant "Laura Lynn". This was probably a misnomer for "Laura Lynn Hammett".
2. Laura Lynn Hammett informed the Plaintiff and the Court of her legal name change on June 10, 2021 and in each document she filed and hearing since that time.
3. The Court amended the caption, but not the complaint, on March 14, 2022, sua sponte. Laura Lynn Hammett filed an objection to the amendment on that same day.
4. To the extent that Laura Lynn Hammett is deemed to be a separate defendant in the case and to the extent that "Laura Lynn" is a misnomer for Laura Lynn Hammett, Laura Lynn Hammett agrees that she should be dismissed as a defendant from the case with prejudice.

BRIEF IN SUPPORT

5. A party is permitted to voluntarily dismiss a defendant, but the dismissal "is effective only upon entry of a court order dismissing the action." *Rule 41 - Dismissal of Actions*, Ark. R. Civ. P. 41

Wherefore, Separate defendant, named by the misnomer Laura Lynn until March 14, 2022, stipulates that defendant Laura Lynn Hammett be dismissed with prejudice by order of this Court.

March 23, 2022.

Respectfully submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, misnomered Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on March 23, 2022, I electronically filed this response to the Plaintiff's motion to dismiss separate defendant Laura Lynn Hammett (called non-suit); and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

March 23, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN HAMMETT **DEFENDANTS**

ORDER GRANTING PLAINTIFF'S MOTION TO VOLUNTARILY NONSUIT CLAIMS AGAINST INDIVIDUAL DEFENDANT LAURA LYNN HAMMETT
AND
ENTRY OF ORDER DISMISSING WITH PREJUDICE

On the date set forth below the Plaintiff's Motion to Voluntarily Nonsuit Claims Against Individual Defendant Laura Lynn Hammett and for Entry of Order Dismissing with Prejudice came before the Court, based upon the Plaintiff's motion, statements of counsel (if any), and all other matters before it; the Court finds and orders as follows:

1. The Court hereby dismisses any and all claims against individual defendant Laura Lynn Hammett with prejudice.

IT IS SO ORDERED.

_____
HONORABLE JUDGE SUSAN WEAVER
SEARCY COUNTY CIRCUIT COURT JUDGE

_____
DATE

Arkansas Judiciary

Case Title: MICHAEL PEITRCZAK V RURAL LIVING TRUST ETAL.

Case Number: 65CV-21-20

Type: ORDER OTHER

So Ordered



JUDGE SUSAN K. WEAVER

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IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL A. PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST **DEFENDANT**

PETITION TO ESTABLISH A 42 U.S.C. 1396p(d)(4)(A) SPECIAL NEEDS TRUST AND BRIEF IN SUPPORT THEREOF

Comes now the attorney in fact and parent of Michael A. Pietrczak, a disabled person, Walter Pietrczak by and through the attorney, William Z. White, who in support of this Petition to Establish a 42 U.S.C. 1396p(d)(4)(A) and Brief in Support, who respectfully states and alleges as follows:

1. Laura Lynn Hammett was previously dismissed as a party to this action. The remaining Defendant is the Rural Revival Living Trust.

2. Michael A. Pietrczak is entitled to use a safe harbor "special needs trust" pursuant to 42 U.S.C. 1396p(d)(4)(A), to hold the proceeds (Lick Fork Property) resulting from this matter to preserve his eligibility for public benefits. The Michael A. Pietrczak Special Needs Trust is attached hereto as **Exhibit 1** and incorporated herein by reference pursuant to Ark. R. Civ. P. 10.

3. Michael A. Pietrczak and the related (d)(4)(A) trust meet all the required criteria for establishment of a (d)(4)(A) trust as follows (See *In RE Corn*, 2016 Ark. 229):

a. Michael A. Pietrczak was born on 10/17/1972 and is under the age of sixty-five (65) at the time of the establishment of this (d)(4)(A) trust.

b. Michael A. Pietrczak is a disabled individual pursuant to the provisions of section 1614(a)(3) of the Social Security Act.

c. Michael A. Pietrczak's (d)(4)(A) trust will be funded with her assets derived from the proceeds of this litigation.

d. Michael A. Pietrczak is the sole beneficiary of her (d)(4)(A) trust.

e. Michael A. Pietrczak's (d)(4)(A) trust will be established by this Court as allowed pursuant to 42 U.S.C. 1396p(d)(4)(A).

f. Michael A. Pietrczak's (d)(4)(A) trust contains the requisite payback language to the State of Arkansas for benefits paid for the primary beneficiary's care under the Medicaid program up to an amount equal to the total amount of medical assistance paid on behalf of the primary beneficiary under the Medicaid program.

g. Michael A. Pietrczak's (d)(4)(A) trust irrevocable.

h. Michael A. Pietrczak's (d)(4)(A) trust contains a spendthrift clause.

i. Michael A. Pietrczak's cannot direct the co-trustees or successor trustees to use trust principal or income for her support and maintenance.

4. The petitioners specifically request the authority to add the date of this Court's order approving Michael A. Pietrczak's (d)(4)(A) trust and to execute the necessary documentation to finalize the formation of the intended trust.

WHEREFORE, the Petitioner Walter Pietrczak as parent of Michael A. Pietrczak respectfully requests that this Court grant his Petition to Establish a 42 U.S.C. 1396p(d)(4)(A) and for all other relief to which she may be entitled.

Respectfully submitted on behalf of the
Petitioner, Walter Pietrczak on behalf of Micheal A. Pietrczak, a disabled person.

By: _____

William "Zac" White - Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 West Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

The Rural Revival Living Trust

Dated: March 30, 2022

_____
William Z. White

MICHAEL A. PIETRZAK SPECIAL NEEDS TRUST

_____, 20___

WZW
WILLIAM "ZAC"
WHITE
ATTORNEY & COUNSELOR AT LAW
www.wzwhite.com

706 WEST QUITMAN STREET
HEBER SPRINGS, ARKANSAS 72543
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Michael A. Pietrzak Special Needs Trust
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WILLIAM Z. WHITE / 706 WEST QUITMAN STREET, HEBER SPRINGS, ARKANSAS 72543 / (501) 365-3934 / WWW.WZWHITE.COM

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Michael A. Pietrzak Special Needs Trust

Article One
Establishing the Michael A. Pietrzak Special Needs Trust

The effective date of this Irrevocable Trust Agreement ("this agreement") is _____, 20___.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the Trustee agrees to hold the trust income and principal ("Trust Estate" or "Trust Funds"), IN TRUST, for the following uses and purposes and subject to the terms and conditions hereinafter set forth.

Walter Pietrczak ("Trustmaker") hereby creates this Irrevocable Trust for Michael A. Pietrzak's benefit as the beneficiary hereunder, pursuant to the Order of the Circuit Court in the State of Arkansas, County of Searcy, entered on _____, 20___, pursuant to which that portion of the assets of Michael A. Pietrzak in an action entitled Michael Pietrczak V. Rural Revival Living Trust et al., 65CV-21-20, as is set forth in the Order (a copy of which is attached hereto as Exhibit A) is to be placed into a trust consistent with the terms set forth in this agreement.

Michael A. Pietrzak is 49 years old and is a disabled person as defined in Section 1382c(a)(3)(A) of Title 42 of the United States Code. This Irrevocable Trust is to enable Michael A. Pietrzak to qualify for (i) the Supplemental Security Income ("SSI") Program; (ii) medical assistance under the Medicaid program as provided for by Section 1396p(d)(4)(A) of Title 42 of the United States Code as enacted by the Omnibus Budget Reconciliation Act of 1993 ("OBRA 1993"); or (iii) any other governmental program.

This Irrevocable Trust is established with Michael A. Pietrzak's assets and Michael A. Pietrzak is the sole beneficiary of the trust.

Trustmaker enters into this Irrevocable Trust Agreement with Walter Pietrczak (the "Trustee").

Section 1.01 Identifying the Trust

The trust is called the "Michael A. Pietrzak Special Needs Trust." The following format should be used for taking title to assets: "Walter Pietrczak, Trustee of the Michael A. Pietrzak Special Needs Trust, dated _____, 20___."

Section 1.02 An Irrevocable Trust

This trust is irrevocable, and Michael A. Pietrzak may not alter, amend, revoke, or terminate it in any way. No other party, except as otherwise provided herein, may alter, amend, revoke, or terminate it in any way.

Section 1.03 Transfers to the Michael A. Pietrzak Special Needs Trust

Walter Pietrczak, as Michael A. Pietrzak's parent, transfers to the Trustee the property listed on Schedule A. Michael A. Pietrzak retains no right, title, or interest in the income or principal of this trust, or any other incident of ownership in any trust property. Michael A. Pietrzak, his guardian, his agent, or any duly authorized person on Michael A. Pietrzak's behalf, may add from time to time to the Trust Estate any property by deed, Will, court order, or otherwise.

By execution of this agreement, the Trustee accepts and agrees to hold the trust property described on Schedule A. All property transferred to the trust after the date of this agreement must be acceptable to the Trustee. The Trustee may refuse to accept any property. The Trustee will hold, administer, and dispose of all trust property accepted by the Trustee for Michael A. Pietrzak's benefit in accordance with the terms of this agreement.

Section 1.04 Statement of Trustmaker's Intent

Trustmaker is creating this trust as a means by which trust assets may be held for the sole benefit of Michael A. Pietrzak, on the terms and conditions set forth in this instrument. Trustmaker intends to create a Special Needs Trust that conforms to Arkansas law.

This trust is created expressly for Michael A. Pietrzak's benefit, to supplement, not supplant, impair, or diminish, any benefits Michael A. Pietrzak otherwise receives or may receive from or be funded by any local, state, or federal government, or from any private agency, any of which provides or funds services or benefits to developmentally disabled, incapacitated, or disabled persons, or from any private insurance carriers covering Michael A. Pietrzak.

It is Trustmaker's intent that the funding and administration of this trust will not subject Michael A. Pietrzak to a period of ineligibility under Medicaid law pursuant to 42 U.S.C. section 1396p(d)(4)(A) and Arkansas law.

Trustmaker also intends for this trust to be treated as a grantor type trust for federal and state income tax purposes and that the funding of the trust will not be subject to federal and state gift taxation.

The Trustee must interpret all provisions of this trust to best effectuate these purposes and intentions.

Article Two
Distributions During Michael A. Pietrzak's Lifetime

The Trustee will hold, manage, invest, and reinvest the Trust Estate, and will pay or apply the income and principal of the Trust Estate in the following manner:

Section 2.01 Distributions of Income and Principal

During Michael A. Pietrzak's lifetime, the Trustee will pay from time to time such amounts from the Trust Funds for the satisfaction and benefit of Michael A. Pietrzak's Special Needs (as hereinafter defined), as the Trustee determines in the Trustee's discretion, as hereinafter provided. Under no circumstances may the Trustee distribute Trust Funds directly to Michael A. Pietrzak. Any income of the trust not distributed will be added annually to the principal of the trust.

Section 2.02 Maximize Benefits

The Trustee is encouraged to seek support and maintenance for Michael A. Pietrzak from all available public resources, including, but not limited to, SSI, the Supplemental Income Program ("SIP") of any applicable state, the Old Age Survivor and Disability Insurance Program ("OASDI"), the Medicare program, the Medicaid program, and any additional, similar, or successor programs for which Michael A. Pietrzak is or may in the future be eligible.

Section 2.03 Duty to Supplement and Not Supplant Government Benefits

The Trustee may not expend Trust Funds for any property, services, benefits, or medical care otherwise available from any local, state, or federal governmental source, or from any private agency, any of which provides or funds services or benefits to developmentally disabled, incapacitated, or disabled persons, or from any private insurance carriers covering Michael A. Pietrzak.

Under no circumstances may the Trustee exercise discretion to utilize Trust Funds for the payment of items or services that would otherwise be borne by any publicly funded program, including, but not limited to, Social Security Administration, Veterans Administration, Medicaid, and SSI or Public Assistance Programs.

Section 2.04 No Court Invasion of Income or Principal

Neither Michael A. Pietrzak nor anyone acting on his behalf may seek court-directed invasion of Trust Funds pursuant to any provision of federal, state, or local law.

The laws of the State of Arkansas or any other state or jurisdiction are not available to require any invasion of Trust Funds by the Trustee or any court.

In the event the Trustee is requested by any department or agency of federal, state, or local government to release principal or income of the trust to or on Michael A. Pietrzak's behalf to pay for equipment, medication, or services that any department, agency, or organization is authorized to provide, or in the event the Trustee is requested by any department or agency administering such benefits to petition the court or an administrative agency for the release of Trust Funds for this purpose, the Trustee must deny such request and is directed to obtain legal counsel to defend, as an expense of the trust, any contest of this provision or any other legal challenge to the trust of any nature. The Trustee has discretion with regard to the defense of any such claim, including the management of all litigation that may result.

Section 2.05 Payment of Michael A. Pietrzak's Income Tax Obligation

The Trustee may make distributions of Trust Funds to pay for Michael A. Pietrzak's income tax obligation, if any.

Section 2.06 Qualified ABLE Account Contributions

The Trustee may contribute to a qualified ABLE account under Section 529A of the Internal Revenue Code on Michael A. Pietrzak's behalf. All such contributions must be made in cash and may not cause the annual aggregate contribution limit (from all contributors) imposed by Section 529A(b)(2)(B) to be exceeded, and may not cause the aggregate excess contribution limit imposed by Section 529A(b)(6) to be exceeded. The Trustee has no duty to monitor, supervise, or review, nor has any liability for, the ABLE account or the application of the ABLE account funds.

However, if the mere existence of the Trustee's authority to make contributions to an ABLE account pursuant to this Section 2.06 results in Michael A. Pietrzak's loss of government benefits or assistance, regardless of whether such authority is actually exercised, this Section 2.06 will be null and void and the Trustee's authority to make such contributions will cease, without exception.

The Trustee will be held harmless from any liability that may occur as a result of contributing to an ABLE account pursuant to this Section 2.06.

Section 2.07 Administrative Expenses

The Trustee may use Trust Funds to pay for any and all expenses necessary for the proper administration of the trust.

Article Three
Early Termination Provisions

The provisions of this Article govern Early Terminations as defined below and in the Social Security Administration's Program Operations Manual System ("SSA POMS") Section SI 01120.199. Under no circumstances may Michael A. Pietrzak have the power to cause an Early Termination.

Section 3.01 Definition of Early Termination

The term "Early Termination" means a termination of the trust before the death of the beneficiary (Michael A. Pietrzak), as provided in SSA POMS Section SI 01120.199, as amended.

Section 3.02 Disposition of Trust Assets Upon Early Termination

In the event of an Early Termination, the Trustee will dispose of the trust assets as follows:

(i) first, the Trustee may pay the expenses allowed in SSA POMS Section SI 01120.199F.3, as amended, which are specified in Section 3.03, entitled "Allowable Administrative Expenses Paid from the Trust," being mindful of the prohibited expenses specified in Section 3.04, entitled "Prohibited Expenses and Payments," below;

(i) second, the Trustee must reimburse the state as provided in Section 4.01, entitled "Reimbursement to State," below; and

(ii) finally, the Trustee must disburse all remaining trust assets to Michael A. Pietrzak outright.

No entity may benefit from the Early Termination, other than payment of expenses in accordance with SSA POMS Section SI 01120.199F.3, as amended, which are specified in Section 3.03, entitled "Allowable Administrative Expenses Paid from the Trust," below.

Section 3.03 Allowable Administrative Expenses Paid from the Trust

In the event of an Early Termination, the following types of administrative expenses may be paid from the trust prior to reimbursement of medical assistance to Arkansas (or any other state):

(iii) taxes due from the trust to Arkansas (or any other state) or the federal government due to the termination of the trust; and

(iv) reasonable fees and administrative expenses associated with the termination of the trust.

For example, payment for an accounting of the trust to a court, completion and filing of documents, or other required actions associated with termination and wrapping up of the trust.

Section 3.04 Prohibited Expenses and Payments

The following are examples of some of the types of expenses and payments not permitted prior to reimbursement of Arkansas (or any other state) for medical assistance:

(v) taxes due from the estate of the beneficiary (Michael A. Pietrzak) other than those arising from inclusion of the trust in the estate;

(vi) inheritance taxes due for residual beneficiaries;

(vii) payment of debts owed to third parties;

(viii) funeral expenses; and

(ix) payments to residual beneficiaries.

Note: For the purpose of prohibiting payments prior to reimbursement of Arkansas (or any other state) for medical assistance, a pooled trust is not considered a residual or remainder beneficiary.

Article Four
Administration Upon Michael A. Pietrzak's Death

Upon Michael A. Pietrzak's death, the Trustee must promptly obtain an accounting from the states (or local Medicaid agencies of the states) that have made Medicaid payments on Michael A. Pietrzak's behalf during his lifetime.

Upon receipt of such accounting, the Trustee will distribute all of the trust property as follows:

(i) first, the Trustee must reimburse Department of Human Services as provided in Section 4.01, entitled "Reimbursement to State," below;

(i) second, the Trustee may pay the expenses specified in Section 4.02, entitled "Payment of Expenses and Taxes," below; and

(ii) finally, the Trustee will distribute the remainder of the trust property as specified in Section 4.03, entitled "Distribution of Remaining Trust Property," below.

Section 4.01 Reimbursement to State

The Trustee must pay to the states (or local Medicaid agencies of the states) that have made Medicaid payments on Michael A. Pietrzak's behalf during his lifetime, the lesser of:

(i) the total amount of Medicaid payments made on Michael A. Pietrzak's behalf to the extent required by law; and

(ii) the entire balance of the Trust Estate, with each state getting a pro rata share equal to the state's Medicaid payments made on Michael A. Pietrzak's behalf over the total of all states' Medicaid payments made on Michael A. Pietrzak's behalf.

Section 4.02 Payment of Expenses and Taxes

Upon full reimbursement to the states (or local Medicaid agencies of the states) as provided in Section 4.01, the Trustee, in the Trustee's discretion, may pay directly or indirectly from the Trust Estate, if any:

(i) Michael A. Pietrzak's funeral expenses;

(ii) any and all death taxes imposed on Michael A. Pietrzak's estate;

(iii) court fees of probate, administration, or estate proceedings related to Michael A. Pietrzak's estate; and

(iv) any and all legal and accounting fees related to Michael A. Pietrzak's estate.

Section 4.03 Distribution of Remaining Trust Property

Subject to the provisions of Section 4.01, entitled "Reimbursement to State," the Trustee will distribute the remaining trust property to, or for the benefit of, such persons or entities, including Michael A. Pietrzak's estate, his creditors, or the creditors of his estate, in any such manner as Michael A. Pietrzak appoints.

This testamentary power of appointment may be exercised by a valid will that specifically refers to this power of appointment and that, within 10 days of Michael A. Pietrzak's death, is submitted for probate in the county of Michael A. Pietrzak's residence. In no event can this power of appointment be exercised by Michael A. Pietrzak through the creation of another power, whether general, non-general, or limited.

This power of appointment is intended to be a general power of appointment as defined in Section 2041 of the Internal Revenue Code.

If Michael A. Pietrzak does not exercise the foregoing testamentary power of appointment, then the Trustee will distribute the balance of the trust property to Michael A. Pietrzak's estate.

Article Five
Powers and Duties of Trustee

Section 5.01 Investment Powers

The Trustee (including any Successor Trustee) has the continuing, absolute, and discretionary power to deal with any property, real or personal, held in the trust. Such power may be exercised independently and without the prior or subsequent approval of any court or judicial authority, and no person dealing with the Trustee may be required to inquire into the propriety of any of the actions of the Trustee. The Trustee is not limited to the type and character of investments of the Trust Funds, so long as the Trustee uses reasonable prudence and judgment in the selection of investments. The Trustee has all the powers of a Trustee under Arkansas law.

In addition, and not by way of limitation, the Trustee has the following general powers:

(a) Power to Invest in Trustee-Controlled Common Fund

The Trustee may invest any part, or all, of the principal of the Trust Estate in any common trust fund, legal or discretionary, which may be established and operated by and under the control of the Trustee.

(b) Power to Allocate to Principal or Income

The Trustee may allocate, in whole or in part, to principal or income, all receipts and disbursements for which no express provision is made hereunder, which allocation will fully protect the Trustee with respect to any action taken or payment made in reliance thereon.

Notwithstanding the above, in no event may the Trustee adjust between income and principal if such adjustment would cause any public benefit program to consider the adjusted principal or income to be an available resource or available income, or if such adjustment would otherwise supplant any governmental benefit that Michael A. Pietrzak is entitled to receive.

(c) Power to Sell, Transfer, or Exchange

The Trustee may sell, transfer, or exchange any and all trust property, real or personal.

Section 5.02 Power to Seek Assistance and Retain Advisors

The Trustee may seek and retain the services of social workers, consultants, or other individuals or agencies, public or private, skilled in the identification and provision of services for disabled, handicapped, or mentally ill individuals. Further, the Trustee may

seek and utilize or reject, in the Trustee's discretion, the counsel and assistance of Michael A. Pietrzak's physician or guardian, if any, and any state or local agency that has been established to assist the handicapped or mentally disabled, and similar resources.

The Trustee may use these resources to aid Michael A. Pietrzak's guardian, if any, in identifying programs that may be of social, financial, developmental, or other assistance to Michael A. Pietrzak.

The Trustee may not be held liable to Michael A. Pietrzak, the remainder beneficiaries, or any other party for seeking or not seeking counsel and recommendations of any expert, whether or not expressly named and authorized herein, or for accepting or rejecting all or part of the counsel and recommendations offered by any such expert. Nor may the Trustee be held liable for actions taken hereunder, except for damages resulting from the Trustee's own gross negligence, willful neglect, or unlawful act. For example, the Trustee, as well as Michael A. Pietrzak's guardian, if any, may not be held liable for failing to identify each and every program or resource that might be available to Michael A. Pietrzak on account of his disabilities, or inquire as to the existence of individuals or agencies, public or private that may be available to meet Michael A. Pietrzak's needs.

Section 5.03 Power to Retain Services Provided by Professionals

The Trustee may retain and pay for attorneys, accountants, financial planners, social workers, health care professionals, and any other professional required for Michael A. Pietrzak's benefit in the discretion of the Trustee, subject to the limitations set forth in this trust.

Specifically, the Trustee may pay for attorney fees and disbursements and court fees related to (i) any guardianship proceeding brought on Michael A. Pietrzak's behalf, as well as any appeal therefrom, subject to court approval, and (ii) attorney fees related to the preparation, funding, maintenance, and administration of this trust, and the obtaining of judicial authorization to implement this trust, subject to court approval.

Section 5.04 Duty to Report and Account

The Trustee must report, at least every 12 months, to Michael A. Pietrzak, to the next successor Trustee, if any, and to his legal representative, if any, at the most recent address then known to the Trustee. The report must advise of any change in Michael A. Pietrzak's eligibility for public benefit programs and list all of the receipts, disbursements, and distributions occurring during the reporting period, along with a complete list of the assets held by the trust. The account is deemed to have been served when placed in the United States Mail addressed to the recipient's last known address. A copy of the most recent bank account statement and a copy of the most recently filed trust tax return must be attached to the accounting. In addition, the Trustee must render an annual account to each and every other individual or entity entitled to receive such an account under Arkansas law.

Section 5.05 Duty to Make Records Available

The Trustee must make the Trustee records, along with all trust documentation, available for inspection by Michael A. Pietrzak, his legal representative, or any trust remainderman, during regular business hours upon 5 calendar days' prior written notice to the Trustee.

Article Six
Trustee Provisions

Section 6.01 Appointment and Replacement of Trustees

Trustees are appointed, removed, and replaced as provided in this Section.

(a) Trustee Succession

Trustmaker appoints Walter Pietrczak to serve as Trustee of the trust.

(b) Removal of Trustees

Michael A. Pietrzak may remove a Trustee and replace said Trustee with a successor Trustee with or without cause, subject to approval of a court of competent jurisdiction.

(c) Michael A. Pietrzak May Not Serve as Trustee

Notwithstanding any other provision of this trust, under no circumstances may Michael A. Pietrzak serve as Trustee.

Section 6.02 Resignation of Trustees

A Trustee may resign by giving written notice in a signed and acknowledged instrument, delivered by certified mail, return receipt requested, to:

(i) the Circuit Court, Searcy County;

(ii) the next successor Trustee, if any;

(iii) Michael A. Pietrzak; and

(iv) Michael A. Pietrzak's guardian, if any.

No Trustee may be discharged and released from office and bond, except upon filing a final accounting with the Circuit Court, Searcy County, in the form and manner required by Arkansas law. The final accounting also must be delivered by certified mail, return receipt requested, to:

(i) the next successor Trustee, if any;

(ii) Michael A. Pietrzak;

(iii) Michael A. Pietrzak's guardian, if any.

Upon the resignation of a Trustee, the resigning Trustee may appoint a Trustee to serve in his or her stead by giving proper notice as required under this agreement. If the resigning Trustee fails to make an appointment or if there are no named successor Trustees, the other provisions of this Article regarding Trustee succession and Trustee vacancy will govern.

Section 6.03 Trustee Compensation

The Trustee is entitled to receive the statutory compensation (or in the absence of a statute, reasonable compensation) for services rendered hereunder as provided for under Arkansas law, and to be reimbursed for all reasonable expenses incurred in the management and protection of the Trust Estate. Further, the Trustee is entitled to reimbursement for reasonable expenses, in the Trustee's discretion.

Section 6.04 Bond

No bond or other security is required of the Trustee, including any successor Trustee, unless ordered by a court.

Section 6.05 Hold Harmless

No Trustee may be held liable for any damages, whether monetary or otherwise, arising from any act, omission, or forbearance by the Trustee, except for damages resulting from the Trustee's own gross negligence, willful neglect, or unlawful act.

Article Seven
Miscellaneous Provisions

Section 7.01 Spendthrift Provision

No interest in the Trust Estate may be anticipated, assigned, or encumbered, or be subject to any creditor's claim or to legal process, prior to its actual receipt by Michael A. Pietrzak. Furthermore, it is the intent of the trust as expressed herein, that because this trust is to be conserved and maintained primarily for Michael A. Pietrzak's Special Needs, no part of the Trust Estate may be subject to the claims of Michael A. Pietrzak's voluntary or involuntary creditors during his life or after his death, except as otherwise provided herein.

Section 7.02 Common Disaster Provision

If any beneficiary dies simultaneously with Michael A. Pietrzak, or in such circumstances that there is not sufficient evidence to determine the order of the deaths, then it will be presumed that Michael A. Pietrzak survived such beneficiary and the provisions of this trust will be construed on that assumption, unless otherwise provided herein.

Section 7.03 Miscellaneous Definitions

(a) Descendants

The term "descendants" means lineal descendants of all generations.

(b) Per Stirpes

Whenever a distribution is to be made to a person's descendants "per stirpes," the distribution will be divided into as many equal shares as there are then-living children of the person and deceased children of the person who left then-living descendants. Each then-living child will receive one share and the share of each deceased child will be divided among such child's descendants in the same manner.

(c) Special Needs

The term "special needs" means Michael A. Pietrzak's needs that are not covered or available from any local, state, or federal government, or any private agency, or any private insurance carrier covering Michael A. Pietrzak.

Section 7.04 Paragraph Headings and Pronouns

The paragraph headings used are for convenience only and may not be resorted to for interpretation of this trust. Whenever the context so requires, the masculine includes the feminine or neuter, and vice versa, and the singular includes the plural, and vice versa.

Section 7.05 Statutory and Regulatory References

References to federal or state statutes and regulations, including the Social Security Administration Program Operations Manual System (SSA POMS), are to the source as it existed on the date of this trust agreement and to any subsequent amendments. If a source is renumbered, the reference is to the renumbered provision, whether renumbered before or after execution of this trust agreement.

Section 7.06 Validity of Provisions

If any portion of this trust is held to be void or unenforceable, the balance of this trust will nevertheless be carried into effect.

Trustmaker and Trustee

Trustmaker hereby executes this agreement on _____, 20___.

Trustmaker certifies that he has read this agreement, that he understands it, and that it correctly states the provisions under which the trust property is to be administered and distributed by the Trustee. Trustmaker hereby signs this agreement in the presence of the witnesses.

_____

Walter Pietrczak, Trustmaker and Trustee

STATE OF ARKANSAS)
) ss.:
COUNTY OF CLEBURNE)

On this day, _____, 20___, before me personally appeared Walter Pietrczak, personally known to me (or proved to me on the basis of satisfactory evidence) to be the individual whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed for the purposes therein contained.

Witness my hand and official seal.

[Seal]

_____

Notary Public

Witnesses

The foregoing instrument was signed by Trustmaker in our presence, and we, in Trustmaker's presence and the presence of each other, sign as witnesses.

(Witness signature)	**(Witness signature)**
(printed name)	(printed name)
(street address)	(street address)
(city, state zip)	(city, state zip)

Affidavit of Witnesses (Self-Proof)

STATE OF ARKANSAS)
) ss.:
COUNTY OF CLEBURNE)

We, _____ and _____, have been sworn by the officer signing below, and declare to that officer on our oaths that Trustmaker declared the instrument to be Trustmaker's trust agreement and signed it in our presence and that we each signed the instrument as a witness in the presence of Trustmaker and of each other.

(Witness signature)	**(Witness signature)**
(printed name)	(printed name)

Subscribed and sworn to (or affirmed) before me on this ___ day of _____, 20___, by _____ and _____, proved to me on the basis of satisfactory evidence to be the persons who appeared before me.

[Seal]

_____
Notary Public

Schedule A

The NW 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas.
Also giving and granting an easement 16 feet wide along the North boundary line of the NE 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas, running West from County Road #5, to provide ingress and egress to above lands.

WZW

WILLIAM Z. WHITE / 706 WEST QUITMAN STREET, HEBER SPRINGS, ARKANSAS 72543 / (501) 365-3934 / WWW.WZWHITE.COM

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2022-Mar-30 19:25:13
65CV-21-20
C20D01 : 8 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

LAURA LYNN HAMMETT'S OBJECTION TO PLAINTIFF'S PROPOSED ORDER GRANTING DEFAULT DAMAGES THAT INCLUDES FINDINGS AGAINST THE DISMISSED DEFENDANT

Comes Separate Defendant misnomered Laura Lynn and Counterclaimant Laura Lynn Hammett, in pro se, and for her Objection to Plaintiff's Proposed Order Granting Default Damages That Includes Findings Against the Dismissed Defendant, states as follows:

1. Plaintiff named a defendant "Laura Lynn". This was probably a misnomer for "Laura Lynn Hammett".
2. Laura Lynn Hammett informed the Plaintiff and the Court of her legal name change on June 10, 2021 and in each document she filed and hearing since that time.
3. The Court amended the caption, but not the complaint, on March 14, 2022, sua sponte. Laura Lynn Hammett filed an objection to the amendment on that same day.
4. To the extent that Laura Lynn Hammett is deemed to be a separate defendant in the case and to the extent that "Laura Lynn" is a misnomer for Laura Lynn Hammett, Laura Lynn Hammett agrees that she should be dismissed as a defendant from the case with prejudice.
5. The Court dismissed all claims against Laura Lynn Hammett as an individual with prejudice on March 28, 2022.
6. Plaintiff filed a proposed "Order Granting Default Damages Against Individual Defendant Rural Revival Living Trust" on March 30, 2022 ("Proposed Order").
7. The Proposed Order includes findings against Laura Lynn Hammett as an individual.

8. Plaintiff wants the Court to find that "Hammett prepared a purported 'Marriage Contract'". (Proposed Order paragraph 4.) This claim was made in the complaint and dismissed with prejudice.

9. Plaintiff wants the Court to find that "Hammett prepared an Affidavit (attached as Exhibit 4 to Pietrczak's Complaint) and filed it of record with the Searcy County Clerk on March 13, 2015, at 3:35 p.m. with BK: MISC 175; PG: 150-151. The Affidavit claims Hammett is entitled to possession of 9985 Lick Fork Road, Witts Springs, Arkansas (hereafter referred to as 'Lick Fork Property'), along with the owner of title, Micheal Pietrczak. Further, Hammett gives 'actual notice to the world that my possession is as a 50% undivided interest ... '. Hammett's purported claims to the Lick Fork Property were based upon the purported 'Marriage Contract' discussed in the preceding paragraph and are therefore deemed to have no legal effect as if it never existed." (Proposed Order ¶ 5) This claim was made in the complaint against Hammett and was dismissed against Hammett as an individual with prejudice.

10. Plaintiff wants the Court to find that "On or about March 22, 2016, Hammett prepared a Mortgage Agreement (attached as Exhibit 5 to Pietrczak's Complaint) on behalf of the Rural Revival Living Trust guarantying the repayment of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 ($150,000.00) from the Rural Revival Living Trust to Pietrczak." (Proposed Order ¶ 6) This claim was made in the complaint jointly against Hammett and the Rural Revival Living Trust and was dismissed against Hammett as an individual with prejudice.

11. Plaintiff wants the Court to find that "Hammett is not a licensed attorney and therefore committed the unauthorized practice of law." (Proposed Order ¶¶ 7, 9)

This claim was made in the complaint against Hammett and was dismissed against Hammett as an individual with prejudice.

12. Plaintiff wants the Court to find that "On or about March 22, 2016, Hammett prepared a Warranty Deed (attached as Exhibit 6 to Pietrczak's Complaint) on behalf of the Rural Revival Living Trust purportedly transferring the Lick Fork Property from Pietrczak to the Rural Revival Living Trust." (Proposed Order ¶ 8) This claim was made in the complaint jointly against Hammett and the Rural Revival Living Trust and was dismissed against Hammett as an individual with prejudice.

13. Plaintiff wants the Court to find that "The purported Affidavit of Laura Lynn, described further herein are canceled, held null, and void and of no legal effect as if [it] had never existed." (Proposed Order ¶ 14) This claim was made against Hammett as an individual in the complaint and was dismissed with prejudice.

14. Plaintiff wants the Court to find that "Any and all clouds on the title of Pietrczak's Lick Fork Property is removed." (Proposed Order ¶ 15) The purported cloud on title created by the Affidavit filed by Laura Lynn Hammett as an individual was complained about in the complaint and the claim was dismissed with prejudice.

15. The Plaintiff wants the Court to find that "This Court hereby declares that Pietrczak remains the true and rightful owner of the Lick Fork Property pursuant to Ark. R. Civ. P. 57 and Ark. Code Ann.§ 16-111-101 et seq." (Proposed Order ¶ 24) Individual Laura Lynn Hammett filed a counterclaim against Micheal Pietrczak which was dismissed. Individual Laura Lynn Hammett was not allowed by the Court to dispute facts that affect her individual rights at the hearing of March 17, 2022. Laura Lynn Hammett as an individual intends to appeal the sua sponte

dismissal of her counterclaim, and therefore preserves her right to appeal the denial of her rights to the Lick Fork property as an individual by this objection.

16. The Plaintiff wants the Court to find that "Michael Pietrczak is the true and rightful owner of the property located in Searcy, County, Arkansas that has been the subject of this matter and who's legal description is as follows: The NW l/4 oft.be SE l/4 of section 6, T-13-N, R-17-W, Searcy County.Arkansas. Also giving and granting an easement 16 fce-t wide along the North boundary line of the NE 1/4 of the SE l/4 of section 6. T-13-N, R-17-W, Searcy County, Arkansas, running West from County Road #5, to provide ingress and egress to above lands." (Proposed Order ¶ 27) The Court is not allowed to make any decision that removes any of individual Laura Lynn Hammett's rights to the Lick Fork Property, as Hammett was denied her Constitutional right to present evidence in her favor as to her individual rights at the March 17, 2022 hearing.

17. The Plaintiff wants the Court to find that "The cloud on the title of Pietrczak's Lick Fork Property is removed and is not subject to any lien, mortgage, other encumbrances." (Proposed Order ¶ 28) The Court may not find that any of individual Laura Lynn Hammett's rights to the Lick Fork Property have been denied pursuant to the complaint that was dismissed against Laura Lynn Hammett with prejudice, as that would violate Hammett's 4th Amendment right against improper seizure.

18. The Plaintiff wants the Court to find that "The Court Orders title to the Lick Fork Property be placed into the Micheal A. Pietrczak Special Needs Trust as previously considered and ruled upon by the Court. If necessary, the Court will issue the appropriate conveyance documents (if necessary) to effectuate the transfer." (Proposed Order ¶ 29) Individual Defendant Laura Lynn Hammett was

dismissed with prejudice before being given an opportunity to argue against what would be a fraudulent transfer. She preserves her right to appeal this order as it affects her individual rights.

19. Micheal Pietrczak wrote a letter that attorney White produced which specifies that Pietrczak was defrauding Laura Lynn Hammett of money that she paid to Pietrczak based upon his repeated representations that he was splitting their assets accumulated between January 2010 and May 2016 50/50, even while plotting to have Walter Pietrczak and attorney White sue Hammett as an individual for several times the amount of which Pietrczak defrauded her. Allowing Pietrczak to transfer title of the Lick Fork Property to an irrevocable special needs trust would deprive Hammett as an individual to recover the property, even after winning on appeal. It would therefore be an injustice. Hammett as an individual preserves her right to appeal an order transferring any of the fraudster's property to another entity.

BRIEF IN SUPPORT

20. A party is permitted to voluntarily dismiss a defendant, but the dismissal "is effective only upon entry of a court order dismissing the action." *Rule 41 - Dismissal of Actions*, Ark. R. Civ. P. 41. Laura Lynn Hammett was not dismissed prior to the hearing of March 17, 2022, yet she was not allowed to argue to protect her individual rights at the hearing. Therefore, any ruling against Hammett as an individual made during the hearing denied Hammett's Constitutional Right to Due Process.

21. Further, "Pursuant to Administrative Order 2(b)(2), an oral order announced from the bench does not become effective until reduced to writing and filed. *McGhee v. Arkansas Bd. of Collection Agencies*, 368 Ark. 60, 243 S.W.3d 278

(2006). Moreover, Ark. R. Civ. P. 58 (2006) provides that '[a] judgment or order is effective only when so set forth and entered as provided in Administrative Order No. 2.' This rule eliminates or reduces disputes between litigants over what a trial court's oral decision in open court entailed. *McGhee v. Arkansas Bd. of Collection Agencies*, supra. If a trial court's ruling from the bench is not reduced to writing and filed of record, it is free to alter its decision upon further consideration of the matter. Id. Simply put, the written order controls." *Nat'l Home Centers, Inc. v. Coleman*, 370 Ark. 119, 120–21, 257 S.W.3d 862, 863 (2007)

22. Any contradictory order made from the bench on March 17, 2022 was superseded by the written order of March 28, 2022 dismissing Laura Lynn Hammett, who was named jointly with the Rural Revival Living Trust, from all claims with prejudice. Hammett cannot argue on behalf of her joint defendant. The Court must make the ethical and legal decision regarding the treatment of a party the Court found in default after the non-defaulting party is dismissed from joint claims.
23. Laura Lynn Hammett was ill during the hearing, had notified the Court well in advance that she needed a stay, and was denied. Perhaps if Hammett was well, she could have protected her rights better. Hammett included a copy of her blood test results that showed she was ill in her motion for stay.
24. It is common practice for all courts to reschedule hearings if an attorney or self represented litigant is demonstrably ill. But this Court appears to many to have a bias against Laura Lynn Hammett for which the Court should have recused.
25. Laura Lynn Hammett prays the Court will remove any findings against the dismissed defendant from an order on the default damages.

March 30, 2022.

Respectfully submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, misnomered Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on March 30, 2022, I electronically filed this Objection to Plaintiff's Proposed Order Granting Default Damages That Includes Findings Against the Dismissed Defendant; and Brief in Support with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

March 30, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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Searcy County Circuit Court
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2022-Apr-01 11:52:14
65CV-21-20
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IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST **DEFENDANT**

MOTION TO STRIKE NON-PARTY'S OBJECTION

Comes now the Plaintiff, Michael Pietrczak, via attorney, William Z. White, who in support of this Motion to Strike Non-Party's Objection, states and allege as follows:

1. This Court, during the default hearing held on March 17, 2022, issued a finding of fact that Laura Lynn Hammett committed the unauthorized practice of law by drafting documents for the Rural Revival Living Trust. The documents in question speak for themselves.

2. Laura Lynn Hammett was dismissed as a party to this case on March 28, 2022.

3. Laura Lynn Hammett filed a written objection on March 30, 2022.

4. Laura Lynn Hammett is no longer a party to this case, nor has she been permitted to intervene. Therefore, Laura Lynn Hammett lacks standing to file any pleadings in this case.

5. For the reasons stated herein, Laura Lynn Hammett's objection should be struck from the record.

WHEREFORE, the Plaintiff respectfully grant this motion on the basis set forth herein and grant any and all relief that the Plaintiff may be entitled whether specifically prayed for herein or not.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 W. Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Rural Revival Living Trust

Dated: Friday, April 1, 22

William Z. White

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2022-Apr-01 15:30:35
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C20D01 : 5 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

LAURA LYNN HAMMETT'S RESPONSE TO MOTION TO STRIKE HER OBJECTION TO FINDINGS AGAINST HER AFTER SHE WAS DISMISSED WITH PREJUDICE; ALTERNATIVELY, MOTION TO INTERPLEAD OR INTERVENE

Comes Separate Defendant misnomered Laura Lynn and Counterclaimant Laura Lynn Hammett, in pro se, and for her Response to Motion to Strike her Objection To Findings Against Her After She Was Dismissed With Prejudice; Alternatively Motion to Interplead, states as follows:

1. Laura Lynn Hammett was dismissed with prejudice on March 28, 2022. The Court and all represented parties are in agreement to this one fact.
2. Plaintiff filed a proposed order on March 30, 2022 that found Laura Lynn Hammett committed several acts from which civil or criminal liability may arise.
3. Laura Lynn Hammett has not been charged with any criminal conduct. Therefore, it would be completely inappropriate for the Court to find Laura Lynn Hammett committed any criminal act.
4. Finding Laura Lynn Hammett in violation of any criminal act violates a plethora of her rights to due process; Notification, representation, an opportunity to present evidence that would exonerate her, an opportunity to subpoena exonerating evidence, etc.
5. The Court denied Laura Lynn Hammett an opportunity to present any evidence or make objections to the statements of Plaintiff's counsel and refused to allow Hammett an opportunity to cross examine Micheal Pietrczak at the hearing on March 17, 2022. The Court was adamant that Hammett would be committing the unauthorized practice of law on behalf of Rural Revival Living Trust if she presented evidence, cross examined the witness or objected to leading the witness.

6. In fact, Hammett looked to the Court in complete frustration, after hearing Plaintiff and his Counsel make numerous lies about her as an individual to the Court, but the Court denying Hammett the opportunity to rebut. The Court said for the record that Hammett gave the Court "stink eye".
7. Now the Plaintiff wants the Court to find that it made findings against Laura Lynn Hammett as an individual during the hearing. Plaintiff wants this Court to make findings against Hammett as an individual as set forth in the proposed order.
8. It is absurd that Plaintiff's counsel is objecting to Hammett objecting to being found guilty of conduct that was discussed in the complaint after being exonerated of all claims with prejudice.
9. Plaintiff is contempt of the Court by his proposed order that ignores that the Court already decided that Hammett is not guilty of the alleged conduct and made such written order with prejudice.
10. Jurisdiction has not passed to the Court of Appeals and cannot until all claims against all parties has passed, with a few exceptions.
11. Plaintiff has given no caselaw or statute that upholds his contention that a party that is dismissed may not argue against a further order of the court made against that dismissed defendant.

12. Should the Court supply the required argument on behalf of the Plaintiff sua sponte with no opportunity for Hammett to rebut, Hammett moves the Court for leave to file her objection to the findings against her individual interests as an interpleader or intervenor.

13. Hammett intends to appeal any and all findings against her individually.

14. Hammett intends to appeal the dismissal of her counterclaims. If the claims against Rural Revival Living Trust are dismissed with prejudice, an appeal of the dismissal of the counterclaims will be unnecessary.

15. In the interest of economy and justice pursuant to ARCP Rule 1, Laura Lynn Hammett as an individual prays the Court will make the need for her to appeal unnecessary.

April 1, 2022.

Respectfully submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, misnomered Defendant and Counterclaimant, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on April, 2022, I electronically filed this Response to motion to Strike her Objection To Findings Against Her After She Was Dismissed With Prejudice; Alternatively Motion to Interplead with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

April 1, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN (HAMMETT) **DEFENDANTS**

AMENDED GRANTED PLAINTIFF'S MOTION TO VOLUNTARILY NONSUIT CLAIMS AGAINST DEFENDANT LAURA LYNN HAMMETT AND ENTRY OF DISMISSING WITH PREJUDICE

This matter came before the Court on March 22, 2022. Based upon the pleadings filed of record herein, and all other matters before the Court, the Court finds as follows:

1. Plaintiff filed a Motion to Voluntarily Nonsuit Claims against Individual Defendant Laura Lynn Hammett and Entry of Order Dismissing with Prejudice on March 22, 2022.

2. Plaintiff's motion is granted.

3. Separate Defendant, Laura Lynn Hammett, filed a Response to Plaintiff's Motion to Dismiss Defendant Laura Lynn Hammett with Prejudice, on March 23, 2022.

4. Due to the Court granting Plaintiff's Motion to nonsuit, separate Defendant Laura Lynn Hammett's March 23, 2022 response is moot.

IT IS SO ORDERED.

HONORABLE SUSAN WEAVER

4/4/22

DATE

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2022-Apr-05 12:10:43
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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

EXHIBIT 1 To:

Laura Lynn Hammett's Motion to Intervene

Re: Settlement offer on Pietrczak

From: William Z. White (wzwhite@wzwhite.com)

To: bohemian_books@yahoo.com

Cc: brooke@wzwhite.com; chris@wzwhite.com

Date: Monday, March 21, 2022, 02:06 PM CDT

So is my winning...I've smiled constantly since the hearing Thursday. Very joyful day.

On Mon, Mar 21, 2022 at 2:05 PM Laura Lynn <bohemian_books@yahoo.com> wrote:

> Your spelling is "humours".
>
> On Monday, March 21, 2022, 01:55:13 PM CDT, William Z. White <wzwhite@wzwhite.com> wrote:
>
> I will draft it at my discretion. You do not control the timing of my litigation. I do intend to dismiss my client's claims against you but I am reserving the right to pursue attorney's fees against you for your continual frivolous litigation. That should be a very sizable judgment that I intend to fervently collect. I would reconsider all the ridiculous pleadings you file, because you are only going to cost yourself more money in the long run. I intend to pierce any of the other trusts you have formed. Please send me more meritless threats that unnamed federal agencies are investigating me. I find it all quite humours at this point.
>
> On Mon, Mar 21, 2022 at 1:46 PM Laura Lynn <bohemian_books@yahoo.com> wrote:
>
> > After the order is entered and before my appeal.
> >
> > You are on notice that I as an individual do not agree to compensate your client for making any improvements to the property while in his control.
> >
> > Please have the proposed judgment filed by Friday, March 25, 2022 or I will file a motion for reconsideration because you lied to the Court when you said you were going to dismiss me as an individual.
> >
> > On Monday, March 21, 2022, 12:44:18 PM CDT, William Z. White <wzwhite@wzwhite.com> wrote:
> >
> > You lost due to your inability to practice law. Either way the property is my client's again.
> >
> > On Mon, Mar 21, 2022 at 10:24 AM Laura Lynn <bohemian_books@yahoo.com> wrote:
> >
> > > If I as an individual am not dismissed from the still active case 65CV-21-20, getting Judge Weaver disciplined will be a slam dunk. It may happen anyhow, but at least she has the excuse for her denial of my due process that she was proceeding as if I was dismissed as an individual. (She should have confirmed that order before refusing to let me defend my individual position.)
> > >
> > > A dismissal is not a loss. Please stop lying to people by saying I "lost". You got a default judgment against the unrepresented trust (which should be overturned on appeal).

On Monday, March 21, 2022, 08:47:30 AM CDT, William Z. White <wzwhite@wzwhite.com> wrote:

Your offer was never considered. Again you have lost. You have nothing to offer. If you would like to purchase my client's property please feel free to make an offer. No other offers will be entertained. You simply do not understand you have lost and your opinions about the matter are irrelevant. Just like your latest meritless and feeble professional conduct complaint. I don't need your permission or direction to write the order. Your appeals will fail miserably like all your other litigation efforts. Just more blatant abuse of the Arkansas legal division. If you file another lawsuit that in anyway involves my client, my staff, or myself I will reciprocate 10 fold. You will see the inside of a jail cell.

This message was sent from my iPhone. Please excuse any typographical or punctuation errors.

On Mar 20, 2022, at 8:36 AM, Laura Lynn <bohemian_books@yahoo.com> wrote:

My offer is rescinded. I am glad you did not accept, because I anticipated you would breach the agreement anyhow and Judge Weaver and Ms. Perry could not be made a party to the agreement. They would get off Scott free.

Write the proposed order.

See you on appeal. (Of course, as Ms. Perry pointed out, there are three other appeals recently filed for which she needs to prepare the transcripts, so the COA may see a pattern emerging.)

The recordings of the hearings in Pietrczak will make fantastic evidence in my federal case. Hopefully the federal judge who hears the recordings while looking at the transcript will refer the matter of the inaccurate transcript to federal law enforcement for public services fraud.

Regards,

Laura Hammett

On Saturday, March 19, 2022, 03:48:31 PM CDT, William Z. White <wzwhite@wzwhite.com> wrote:

You have nothing to offer. We have won, and the case will soon be over. If you would like to make an offer to purchase my client's property, we will entertain any bona fide offer. bidding starts at $350,000.00. However, since it's you we will only consider a cash offer in certified funds.

On Sat, Mar 19, 2022 at 3:36 PM Laura Lynn <bohemian_books@yahoo.com> wrote:

I will settle if Micheal Pietrczak signs the agreement, since he may otherwise claim he did not authorize you to represent him.

The plaintiff to dismiss all defendants with prejudice.

Micheal Pietrczak to collect half the sales proceeds from the Lick Fork Property, which he can pay you with or not, as per any separate agreement between you.

I will give confidentiality as to names of anyone involved. I may still write about the incidents with fictionalized names and not specifying the counties in which the events occurred.

We have a mutual agreement that includes you and your employees that no one files suit against anyone for anything.

I have already made reports to several agencies in regard to conduct by persons involved. I will be accurate and honest if any of those agencies asks me by subpoena for information, but I will not pursue justice further on my own.

The bonus for Mr. White and the court personnel is that I will not need to subpoena the recording of the August 4, 2021 hearing or the March 17, 2022 hearing for my other cases. Without this agreement, I must prove that a judge was causing me extreme emotional distress by colluding with others to make an inaccurate record. And, Mr. Pietrczak is on the witness list in one case. If I have the dismissal, I won't need to depose Mr. Pietrczak for the other case.

Regards,

Laura Hammett

--

Regards,

Zac

William Z. White
Attorney & Counselor at Law
706 West Quitman Street
Heber Springs, AR 72543

Phone: (501) 365-3934
Fax: (501) 365-3935

E-mail: wzwhite@wzwhite.com

Website: www.wzwhite.com

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--

Regards,

Zac

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--

Regards,

Zac

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

LAURA LYNN HAMMETT'S MOTION TO INTERVENE; BRIEF

Comes Dismissed Without Prejudice Counterclaimant Laura Lynn Hammett, in pro se, and for her motion to Intervene, states as follows:

1. This motion is made by special appearance only, and jurisdiction of the court is not implied or acknowledged except as to making a motion to intervene to protect the petitioner's individual rights.
2. Laura Lynn Hammett ("Hammett") was dismissed from case 65CV-21-20 with prejudice on March 28, 2022.
3. Before her dismissal, Hammett filed a counterclaim on June 10, 2021 ("Counterclaim").
4. Plaintiff did not respond to the counterclaim timely.
5. Hammett filed a motion for default judgment on the counterclaim on July 13, 2021.
6. This Court denied the motion for default judgment on August 20, 2021. The Court wrote about the counterclaim, in full:
7. "On July 13, 2021 Separate Defendant/Counter-Plaintiff Laura Lynn filed a Motion for Default Judgement. In review of Defendant/Counter-Plaintiff's Counter-Claim, it is evident is it not in compliance with Arkansas Rules of Civil

Procedure Rule 8. Therefore, said motion is denied and Counter-Claim is dismissed without prejudice."

8. Hammett intends to appeal that order based on the grounds that she was denied her Constitutional right to due process by lack of notification of the Court's motion to dismiss, inadequate argument by the court as movant against the counterclaim and no opportunity to respond. Also, the default judgment should have been granted due to a lack of response made timely. Hammett was denied due process as the Court appeared to have a bias against Hammett and refused to recuse, twice.

9. The Sua Sponte dismissal of the counterclaim is part of the appearance of bias.

10. The plaintiff committed fraud against Hammett and is a convicted felon for using a fraudulent document before he met Hammett. Hammett presented exhibits showing fraud to the Court in her Motion for Contempt filed March 13, 2022. Hammett brought more evidence to present at the March 17, 2022 hearing.

11. The Court has thus far allowed plaintiff to proceed against the defaulting defendant, even after the non-defaulting joint defendant was dismissed on the merits, instead of dismissing the untenable suit sua sponte. This is another appearance of bias.

12. Hammett has the right and intention to file a separate complaint for malicious prosecution within one year of her dismissal from lawsuit filed against her which

included service of a subpoena (process) that commanded her to produce all tangible and intangible financial records and other items related to her as an individual from January 2009 to present.

13. Hammett has a stake in the outcome of 65CV-21-20. The plaintiff is asking to transfer ("the Property"), 9985 Lick Fork Road, Witts Spring AR, which was originally purchased with title in Micheal Pietrczak's name on December 31, 2014 ("Original Title") to an irrevocable trust in which Micheal Pietrczak is the beneficiary.

14. The Original Title was purchased with money that Micheal Pietrczak defrauded from Hammett.

15. The Property should be put into a constructive trust for Hammett as an individual until Hammett's counterclaim is resolved after appeal.

16. All money collected by Micheal Pietrczak stemming from the fraudulent procurement of Hammett's assets should be kept available for the payment of damages on Hammett's malicious prosecution suit.

17. To make Micheal Pietrczak judgment proof as an individual while allowing him to benefit from the money he defrauded from Hammett and is more probably than not going to be ordered to pay for his malicious prosecution of his victim is assisting in a fraudulent transfer.

18. Plaintiff filed a proposed order on March 30, 2022 that found Laura Lynn Hammett committed several acts from which civil or criminal liability may arise.

19. Laura Lynn Hammett has not been charged with any criminal conduct. Therefore, it would be completely inappropriate for the Court to find Laura Lynn Hammett committed any criminal act, the unauthorized practice of law.

20. Finding Laura Lynn Hammett in violation of any criminal act violates a plethora of her rights to due process; Notification, representation, an opportunity to present evidence that would exonerate her, an opportunity to subpoena exonerating evidence, etc.

21. The Court denied Laura Lynn Hammett an opportunity to present any evidence or make objections to the statements of Plaintiff's counsel and refused to allow Hammett an opportunity to cross examine Micheal Pietrczak at the hearing on March 17, 2022. The Court was adamant that Hammett would be committing the unauthorized practice of law on behalf of Rural Revival Living Trust if she presented evidence, cross examined the witness or objected to leading the witness.

22. In fact, Hammett looked to the Court in complete frustration, after hearing Plaintiff and his Counsel make numerous lies about her as an individual to the Court, but the Court denying Hammett the opportunity to rebut. The Court said for the record that Hammett gave the Court "stink eye".

23. Now the Plaintiff wants the Court to find that it made findings against Laura Lynn Hammett as an individual during the hearing. Plaintiff wants this Court to make findings against Hammett as an individual as set forth in the proposed order filed March 30, 2022.

24. It is absurd that the Court dismissed Hammett with prejudice and before the ink was dry, Plaintiff's counsel filed the exact claims against Hammett.

25. Plaintiff's counsel has threatened the court findings will be used against Hammett in several other cases, some filed by Plaintiff's counsel. (See email from Attorney William White, a true and correct copy attached as exhibit 1)

26. In the email chain, Plaintiff's counsel States that the bidding on the property will start at $350,000. At the hearing a few days prior, plaintiff claimed the property was valued at about $150,000.

27. Plaintiff's counsel also threatened to file a motion for attorney fees against Hammett. He is probably going to use the "findings" against Hammett made in the proposed order.

28. Hammett has disclosed in a different case that she is using the pleadings from the Pietrczak case to help prove why she was suffering from Post Traumatic Stress Disorder. The other case stems from an alleged debt that was plausibly incurred by identity theft by Micheal Pietrczak. The defendant in that case disclosed that it

intends to call Micheal Pietrczak as a witness. Any findings against Hammett made after she was dismissed with prejudice might be used to cause harm to Hammett's case against the debt collector. (Of course Hammett will present this document and the avalanche of documentary evidence showing Pietrczak committed fraud and this Court had a disturbing bias against Hammett, but it is better not to give the other defendant any false and impermissible amunition.)

29. Plaintiff is in contempt of the Court by his proposed order that ignores that the Court already decided that Hammett is not guilty of the alleged conduct and made such written order with prejudice, which means on the merits.

30. Hammett asks this Court to give her leave to intervene in order to protect her good name.

31. If the Court makes the findings requested by plaintiff in the proposed order of March 30, 2022 without allowing dismissed without prejudice Counterclaimant Hammett to intervene, the Court will be defaming Laura Lynn Hammett, knowingly, maliciously and will probably cause damages to Hammett with a total lack of jurisdiction.

32. Hammett as trustee of the Rural Revival Living Trust called approximately 14 law firms on April 4, 2022 to procure representation for the trust. Because several attorneys who practice in Russelville and Harrison previously said they would not

work in Searcy County, Hammett reached out to attorneys who practiced in Arkansas and Tennessee or Missouri, showing a willingness to travel. Thus far there is no attorney who has agreed to take the case. Two attorneys declined, one made a referral. The referred attorney is making a preliminary review. The other attorneys have yet to respond to Hammett's initial call.

33. If the Court dismisses the case against Rural Revival Living Trust sua sponte, as she dismissed the counterclaim, Hammett will not need to intervene.

BRIEF

34. "(a) Intervention of Right. Upon timely application anyone shall be permitted to intervene in an action: (1) []; or (2) when the applicant claims an interest relating to the property or transaction which is the subject of the action and he is so situated that the disposition of the action may as a practical matter impair or impede his ability to protect that interest, unless the applicant's interest is adequately represented by existing parties." *Polnac-Hartman & Assocs. v. First Nat. Bank in Albuquerque*, 292 Ark. 501, 503, 731 S.W.2d 202, 203 (1987)

35. The Rural Revival Living Trust cannot adequately represent Hammett's interests. The appearance of bias by Judge Susan Weaver caused attorneys to refrain from representing the trust, and therefore the trust has no representation.

36. Ironically, if the Court decides that the trust and Hammett share common interests, than the Court must dismiss the case against the trust, as discussed below.

37. Hammett refers to and incorporates by reference her counterclaim filed June 10, 2021 along with all the motion practice filed in this case prior to Hammett's dismissal.

38. Hammett is not filing the proposed Complaint for Malicious Prosecution for two reasons. First, this Court entered her written order extending the time to serve summons one day after the written motion was filed, claiming that Hammett's 10 days to file an opposition began when the Court supposedly made an oral order extending the time to serve summons. Ever since, Hammett has filed her responses at lightening speed, so as to keep the issues on appeal to a minimum. Hammett cannot write the complaint that quickly.

39. Second, the suit for malicious prosecution may change, depending on the order made in this case. The documents filed in this case speak to all the reasons that a complaint of malicious prosecution is needed already.

40. The Plaintiff's complaint was filed and dismissed twice. The plaintiff was trying to win by default by not serving summons on Hammett. Plaintiff's attorney has done the same tactic with the same judge in the past. (Gawenis) The Plaintiff wrote a letter, signed, that said he was collecting money from Hammett based on her belief that she was paying the full amount agreed to, while planning to use that money to pay Attorney William White to sue Hammett. Mr. Pietrczak was in the hearing of August 4, 2021 and so he is aware that the transcript was inaccurate and proceeded anyhow, knowing that a proper extension of time to serve summons on the trust was not granted during that hearing.

41. "**(a)***Voluntary Dismissal; Effect Thereof.***(1)** Subject to the provisions of Rule 23(e) and Rule 66, an action may be dismissed without prejudice to a future action by the plaintiff before the final submission of the case to the jury, or to the court where the trial is by the court. Although such a dismissal is a matter of right, it is effective only upon entry of a court order dismissing the action." *Rule 41 - Dismissal of Actions*, Ark. R. Civ. P. 41

42. "**(2)** A voluntary dismissal under paragraph (1) operates as an adjudication on the merits when filed by a plaintiff who has once dismissed in any court of the United States or of any state an action based upon or including the same claim, unless all parties agree by written stipulation that such dismissal is without prejudice." Id

43. "**(3)** In any case where a set-off or counterclaim has been previously presented, the defendant shall have the right of proceeding on his claim although the plaintiff may have dismissed his action." Id.

44. "To establish a claim for malicious prosecution, a plaintiff must prove five elements: (1) a proceeding instituted or continued by the defendant against the plaintiff; (2) termination of the proceeding in favor of the plaintiff; (3) absence of probable cause for the proceeding; (4) malice on the part of the defendant; and (5) damages. *Sundeen,* 355 Ark. at 142, 133 S.W.3d at 395. The failure of one element renders a malicious-prosecution case defunct. *Jones v. McLemore,* 2014 Ark. App. 147, 432 S.W.3d 668." Patrick v. Tyson Foods, Inc., 2016 Ark. App. 221, 10, 489 S.W.3d 683, 691–92 (2016) A jury would probably find that Hammett can prove each of the five elements. Damages will increase dramatically if Pietrczak is able to make a fraudulent transfer of the Property to a trust set up for his benefit after he was notified of pending litigation against him for fraud.

45. The Court acknowledged a lack of jurisdiction over Hammett in the Amended Order entered on April 4, 2022, calling similar arguments about the proposed order of March 30, 2022 to those made here as "moot".

46. If the order is not overturned on appeal, then the Court's "findings" against Hammett as an individual are made with a complete lack of jurisdiction and are contrary to the lawful order dismissing Hammett with prejudice.

47. "The test for determining whether the common-defense doctrine applies, so that nondefaulting defendant's answer inures to benefit of defaulting defendant, is whether the answer of the nondefaulting defendant states a defense that is common to both defendants, because then a successful plea operates as a discharge to all the defendants, but it is otherwise where the plea goes to the personal discharge of the party interposing it." *Sutter v. Payne*, 337 Ark. 330, 989 S.W.2d 887 (1999) Should the Rural Revival Living Trust not find counsel to represent it and the Court does not dismiss the case sua sponte, as she dismissed the counterclaim filed by Hammett, Hammett's individual property may be transferred into a trust by fraud on the court (even though the Court is more probably than not well aware of and even participating in the fraud on the court), making recovery that much more difficult.

48. "The fundamental requirement of due process is the opportunity to be heard at a meaningful time and in a meaningful manner. U.S. Const. Amend. 14." *Jones v. Centennial Bank*, 2018 Ark. App. 337, 553 S.W.3d 151 (2018)

49. "An elementary and fundamental requirement of due process in any proceeding that is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections. *U.S. Const. Amend. 14." Id.*

50. Before Hammett was dismissed with prejudice, the Court forbid her to make any argument, objections or submit evidence to protect her individual rights should the Court make an order against the joint defendant Rural Revival Living Trust during the hearing of March 17, 2022.

51. Gratefully, the Court made orders superseding the oral orders made on March 17, 2022 when she dismissed Hammett with prejudice. "Where a dismissal is 'with prejudice,' it is conclusive of the rights of the parties as if the suit had been prosecuted to a final adjudication adverse to the plaintiff." *Orr v. Hudson*, 2010 Ark. 484, 374 S.W.3d 686 (2010) "Where a dismissal is 'with prejudice,' it is conclusive of the rights of the parties as if the suit had been prosecuted to a final adjudication adverse to the plaintiff." id

52. In Pietrczak, the dismissal with prejudice of Laura Lynn Hammett is conclusive of her rights. All allegations against Hammett are meritless. The proposed order states that the Rural Revival Living Trust knew or should have known that the allegations made against Laura Lynn Hammett were true. If the Court finds that the

allegations against Hammett were true, without offering Hammett an opportunity to make the arguments made in this motion to intervene, then the Court is making defamatory statements against Hammett with a complete lack of jurisdiction.

53. If the Court orders property title held by the trust to revert to Pietrczak and then into a newly formed trust, the Court is making an order that is a fraudulent transfer of property that should be returned to Hammett, either through her counterclaim or through her action for malicious prosecution.

Wherefore, Laura Lynn Hammett, dismissed without prejudice counterclaimant and intended plaintiff in a malicious prosecution case against Micheal Pietrczak and Walter Pietrczak and Doe Defendants, asks to intervene in the present case to protect her good name and deter a fraudulent transfer by the plaintiff in this case.

April 5, 2022.

Respectfully submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on April 5, 2022, I electronically filed this Motion to Intervene with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

April 5, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

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65CV-21-20
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IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHEAL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND
LAURA LYNN (HAMMETT) **DEFENDANTS**

ORDER GRANTING DEFAULT DAMAGES AGAINST INDIVIDUAL DEFENDANT RURAL REVIVAL LIVING TRUST

This matter came before the Court on March 17, 2022, at 8:30 a.m. within the Searcy County Circuit Courthouse located in Marshall, Arkansas. Micheal Pietrczak (hereafter referred to as "Pietrczak") appeared in person with his attorney, William Z. White. Laura Lynn Hammett (hereafter referred to as "Hammett") appeared in her individual pro-se capacity. The Rural Revival Trust was not present, and no attorney appeared on its behalf. Based upon the pleadings filed of record herein, statements of counsel, parties, and/or witness(es), and all other matters before the Court, the Court finds as follows:

1. This Court granted Pietrczak's Motion for Default Judgment on March 2, 2022, against the Rural Reviving Living Trust. The Court found that:

   a. Service was perfected, in the presence of the court, upon the Rural Revival Living Trust on October 7, 2021 after a Motion Hearing in the above case was held.

   b. Pursuant to Ark. R. Civ. P. 55(a), when a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by the Arkansas Rules of Civil Procedure, judgement by default may be entered.

c. The Rural Revival Living Trust failed to plead or otherwise appear in this action and therefore defaulted.

2. The Court ordered that a damages hearing be held on March 17, 2022. The purpose of the hearing was specifically limited to the Pietrzcak's presentation of damages against the Rural Revival Living Trust.

3. During the hearing, Hammett attempted to make objections and statements in response to Plaintiff's presentation of statements to the court, admission of exhibits, and/or witness testimony. The Court, several times, explained to Hammett that she is not a licenses attorney and could not make statements or arguments on behalf of the Rural Revival Living Trust.

4. Hammett prepared a purported "Marriage Contract" (attached as exhibit 3 to Pietrczak's Complaint). On October 14, 2021, based upon Hammett's announced agreement and consent the Court found that the contract was void ab initio and deemed to have no legal effect as if it never existed.

5. Hammett prepared an Affidavit (attached as Exhibit 4 to Pietrczak's Complaint) and filed it of record with the Searcy County Clerk on March 13, 2015, at 3:35 p.m. with BK: MISC 175; PG: 150-151. The Affidavit claims Hammett is entitled to possession of 9985 Lick Fork Road, Witts Springs, Arkansas (hereafter referred to as "Lick Fork Property"), along with the owner of title, Micheal Pietrczak. Further, Hammett gives "actual notice to the world that my possession is as a 50% undivided interest…". Hammett's purported claims to the Lick Fork Property were based upon the purported "Marriage Contract' discussed in the preceding paragraph and are therefore deemed to have no legal effect as if it never existed.

6. On or about March 22, 2016, Hammett prepared a Mortgage Agreement (attached as Exhibit 5 to Pietrczak's Complaint) on behalf of the Rural Revival Living Trust guarantying the repayment of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 ($150,000.00) from the Rural Revival Living Trust to Pietrczak.

7. The Mortgage Agreement was filed of record with the Searcy County Clerk on March 23, 2016, at 11:30 a.m. within Book: MORT 203; PG: 427-436. On March 22, 2016, the purported Mortgage Agreement was only executed by Hammett, not a licensed attorney, as the trustee of the Rural Revival Living Trust rendering the Mortgage Agreement invalid. Therefore, the Mortgage Agreement is void ab initio and deemed to have no legal effect as if it never existed.

8. On or about March 22, 2016, Hammett prepared a Warranty Deed (attached as Exhibit 6 to Pietrczak's Complaint) on behalf of the Rural Revival Living Trust purportedly transferring the Lick Fork Property from Pietrczak to the Rural Revival Living Trust.

9. The Warranty Deed was filed of record with the Searcy County Clerk on March 23, 2016, at 11:13 a.m. within Book: Deed 200; PG: 606-609. Hammett is not a licensed attorney. Therefore, the Warranty Deed is void ab initio and deemed to have no legal effect as if it never existed.

10. The Rural Revival Living Trust knew or should have known that Hammett is not a licensed attorney and that she is prevented from preparing legal documents on behalf of Pietrczak and/or the Rural Revival Living Trust.

11. The Rural Revival Living Trust slandered the title of Pietrczak's Lick Fork Property by intentionally acting with malice, express or implied, in making slanderous statements regarding the title of Pietrczak's Lick Fork Property. Pursuant to Ark. Code Ann. § 5-

37-226(a) anyone who suffers loss or damages as a result of conduct the prohibited conduct and who must bring civil action to remove any cloud from his or her title or interest in the real property or to clear his or her title or interest in the real property is entitled to three (3) times actual damages, punitive damages, and costs, including any reasonable attorney's fees or other costs of litigation reasonably incurred. See Ark. Code Ann. §5-37-226(c).

12. Due to Rural Revival Living Trust's slandering of Pietrczak's title, Pietrczak has been unable to enjoy the Lick Fork Property freely and quietly, and likewise, has been unable to otherwise sell or lease the Lick Fork Property to others.

13. The Rural Revival Living Trust filed the unauthentic and fraudulent, Mortgage Agreement and Warranty Deed into the records of the Searcy County Recorder to cloud Pietrczak's title to the Lick Fork Property and to adversely affect, impair, or discredit the title of Pietrczak's interest in the Lick Fork Property. This has prevented Pietrczak from disposing, transferring, or granting any interest of the Lick Fork Property to anyone.

14. The purported "Marriage Contract", Affidavit of Laura Lynn, Mortgage Agreement, and Warranty Deed described further herein are canceled, held null, and void and of no legal effect as if they had never existed.

15. Any and all clouds on the title of Pietrczak's Lick Fork Property is removed.

16. The Court renders judgment in Pietrczak's favor and grants recovery of the possession of the Lick Fork Property and grants the recovery of the costs incurred by Pietrczak for the necessitation of this action as set forth within Ark. Code Ann. §18-60-207, 209.

17. The Court shall issue a Writ of Possession commanding the officer to whom it is directed to deliver to Pietrczak or his agent possession of the Lick Fork Property pursuant to Ark. Code Ann. §18-60-208.

18. At the conclusion of this matter Pietrczak may petition and be awarded his costs pursuant to Ark. Code Ann. § 16-68-401 including the treble damages provisions of Ark. Code Ann. § 16-60-102.

19. The Rural Revival Living Trust entered upon and/or unlawfully detained Pietrczak's Lick Fork Property without right or claim to title. See Ark. Code Ann. § 18-60-303(1).

20. The Rural Revival Living Trust forcibly entered the premises and caused the locks of Pietrczak's residence located on the Lick Fork Property to be changed to prevent Pietrczak or the attorney-in-fact from gaining access to Pietrczak's Lick Fork Real Property. See. Ark. Code Ann. § 18-60-303(2).

21. This Court shall issue a Writ of Possession pursuant to Ark. Code Ann. § 18-60-309.

22. This Court hereby declares that Pietrczak is the true and rightful owner of the Lick Fork Property pursuant to Ark. R. Civ. P. 57 and Ark. Code Ann. § 16-111-101 et seq.

23. This Court permanently enjoins the Rule Reviving Living Trust from further slandering, clouding, and entering upon Pietrczak's Lick Fork Property pursuant to Ark. R. Civ. P. 65.

24. Pietrczak may be awarded actual monetary damages, upon a proper motion and hearing, against the Rural Revival Living Trust for the costs of replacing and repairing the property to its former condition, when Pietrczak last possessed it, once he has been allowed to inventory, apprise the damages, and file a verified damages report with this Court.

25. Michael Pietrczak is the true and rightful owner of the property located in Searcy, County, Arkansas that has been the subject of this matter and who's legal description is as follows:

> The NW 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas.
> Also giving and granting an easement 16 feet wide along the North boundary line of the NE 1/4 of the SE 1/4 of section 6, T-13-N, R-17-W, Searcy County, Arkansas, running West from County Road #5, to provide ingress and egress to above lands.

26. The cloud on the title of Pietrczak's Lick Fork Property is removed and is not subject to any lien, mortgage, other encumbrances.

27. The Court Orders title to the Lick Fork Property be placed into the Micheal A. Pietrczak Special Needs Trust as previously considered and ruled upon by the Court. If necessary, the Court will issue the appropriate conveyance documents (if necessary) to effectuate the transfer.

IT IS SO ORDERED.

HONORABLE SUSAN WEAVER

DATE

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Apr-11 08:00:20
65CV-21-20
C20D01 : 9 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

BRIEF IN SUPPORT OF LAURA LYNN HAMMETT'S MOTION TO SET ASIDE ORDER AND JUDGMENT AND SETTLE THE RECORD

Comes Dismissed Without Prejudice Counterclaimant and Dismissed With Prejudice Individual Defendant Laura Lynn Hammett, in pro se, and for her Brief in Support of Motion to Set Aside Order and Judgment and Settle the Record, states as follows:

1. *Rule 60 - Relief from Judgment, Decree or Order*, Ark. R. Civ. P. 60 ("To correct errors or mistakes or to prevent the miscarriage of justice, the court may modify or vacate a judgment, order or decree on motion of the court or any party, with prior notice to all parties, within ninety days of its having been filed with the clerk.")

2. *Rule 60 - Relief from Judgment, Decree or Order*, Ark. R. Civ. P. 60 ("No judgment against a defendant, unless it was rendered before the action stood for trial, shall be set aside under this rule unless the defendant in his motion asserts a valid defense to the action and, upon hearing, makes a prima facie showing of such defense.") In this case, Hammett asserts the perfect defense on the merits shown by the dismissal with prejudice of all the claims that were reiterated in the Order of April 7, 2022.

3. "When a judgment is set aside on the motion of a defendant constructively summoned, the court may order the plaintiff in the action to restore to the

defendant any money of the defendant paid under the judgment or any property of the defendant obtained by the plaintiff under it and yet remaining in his possession and pay to the defendant the value of any property which may have been taken under an attachment in the action or under the judgment and not restored. " id

4. *Rule 52 - Findings by the Court*, Ark. R. Civ. P. 52 ("In an action for [], or property damage tried without a jury, the court shall determine the fault of all persons or entities, including those not made parties, who may have joint liability or several liability for the alleged [] damage to property. However, the court shall **determine the fault of a nonparty only if: (i)** the claimant entered into a settlement agreement with the nonparty, or a defending party has given notice, as provided in Rule 9(h), I that the nonparty was wholly or partially at fault; and**(ii)** the defending party has carried the burden of establishing a prima facie case of the nonparty's fault.") (bold added) Hammett has not settled and has not given notice of being wholly or partially at fault. The defending party, the trust, did not present any defense, therefore it established nothing against Hammett. The Court is foreclosed on determining the fault of Hammett, who was already dismissed with prejudice.

5. Hammett refers to and incorporates by reference her counterclaim filed June 10, 2021 along with all the motion practice filed in this case prior to Hammett's dismissal.

6. The Plaintiff's complaint was filed and dismissed twice. The plaintiff tried to win by default by not serving summons on Hammett. Plaintiff's attorney has done the same tactic with the same judge in the past. (*Richard Gawenis v Zelda Walls Living Trust, COA CV-21-349 and cases discussed under*) The Plaintiff wrote a letter, signed, that said he was collecting money from Hammett based on her belief that she was paying the full amount agreed to, while planning to use that money to pay Attorney William White to sue Hammett. (A true and correct copy of the letter is an exhibit to Motion for Contempt as Exhibit D filed March 13, 2022, and is incorporated here by reference.) Mr. Pietrczak was in the hearing of August 4, 2021 and so he is aware that the transcript was inaccurate and proceeded anyhow, knowing that a proper extension of time to serve summons on the trust was not granted during that hearing. (ARCP Rule 4(i))

7. "(a)*Voluntary Dismissal; Effect Thereof.*(1) Subject to the provisions of Rule 23(e) and Rule 66, an action may be dismissed without prejudice to a future action by the plaintiff before the final submission of the case to the jury, or to the court where the trial is by the court. Although such a dismissal is a matter of right,

it is effective only upon entry of a court order dismissing the action." *Rule 41 - Dismissal of Actions*, Ark. R. Civ. P. 41

8. "(2) A voluntary dismissal under paragraph (1) operates as an adjudication on the merits when filed by a plaintiff who has once dismissed in any court of the United States or of any state an action based upon or including the same claim, unless all parties agree by written stipulation that such dismissal is without prejudice." Id

9. "(3) In any case where a set-off or counterclaim has been previously presented, the defendant shall have the right of proceeding on his claim although the plaintiff may have dismissed his action." Id.

10. The Court's "findings" against Hammett as an individual are made with a lack of jurisdiction and are contrary to the lawful order dismissing Hammett with prejudice entered on March 28, 2022 and amended on April 4, 2022.

11. "The test for determining whether the common-defense doctrine applies, so that nondefaulting defendant's answer inures to benefit of defaulting defendant, is whether the answer of the nondefaulting defendant states a defense that is common to both defendants, because then a successful plea operates as a discharge to all the defendants, but it is otherwise where the plea goes to the personal discharge of the party interposing it." *Sutter v. Payne*, 337 Ark. 330, 989 S.W.2d

887 (1999) Hammett made a defense that was common to both defendants. When she prevailed on the merits of her defense, the Court was foreclosed on "finding" against Hammett by finding against the defaulting defendant.

12. "The fundamental requirement of due process is the opportunity to be heard at a meaningful time and in a meaningful manner. U.S. Const. Amend. 14." *Jones v. Centennial Bank*, 2018 Ark. App. 337, 553 S.W.3d 151 (2018)

13. "An elementary and fundamental requirement of due process in any proceeding that is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections. *U.S. Const. Amend. 14." Id.*

14. Before Hammett was dismissed with prejudice, the Court forbid her to make any argument, objections or submit evidence to protect her individual rights should the Court make an order against the joint defendant Rural Revival Living Trust during the hearing of March 17, 2022.

15. Gratefully, the Court made orders superseding the oral orders made on March 17, 2022 when she dismissed Hammett with prejudice. "Where a dismissal is 'with prejudice,' it is conclusive of the rights of the parties as if the suit had been prosecuted to a final adjudication adverse to the plaintiff." *Orr v. Hudson*, 2010 Ark. 484, 374 S.W.3d 686 (2010)

16. In Pietrczak, the dismissal with prejudice of Laura Lynn Hammett is conclusive of her rights. All allegations against Hammett are meritless.

17. The Court Order that property title held by the trust is to revert to Pietrczak and then into a newly formed trust, the Court is making an order that is a fraudulent transfer of property that should be returned to Hammett, either through her counterclaim or through her action for malicious prosecution.

18. Pursuant to ARAP 6(e) "Correction or modification of the record. If any difference arises as to whether the record truly discloses what occurred in the circuit court, the difference shall be submitted by motion to and settled by that court and the record made to conform to the truth. If anything material to either party is omitted from the record by error or accident or is misstated therein, the parties by stipulation, or the circuit court before the record is transmitted to the appellate court, or the appellate court on motion made no later than 30 days after the appellee's brief is filed in the appellate court, or on its own initiative, may direct that the omission or misstatement shall be corrected, and if necessary, that a supplemental record be certified and transmitted. All other questions as to form and content of the record shall be presented to the appellate court. No correction or modification of the record shall be made without prior notice to all parties."

19. The proper way to preserve the argument that the transcript is inaccurate for appeal is to move the court for a hearing where the tapes can be played. In the case of Craig v. State, the Appellate Court said "[a]lthough there are undoubtedly cases where a hearing would be helpful, and perhaps necessary, to determine whether the transcription of the record contains a misstatement of what transpired below, appellant in the case at bar never requested a hearing in his initial motion." Craig v. State, 64 Ark. App. 281, 282, 983 S.W.2d 440, 441–42 (1998) The same caselaw applies where no transcript was prepared, but the Court recollects what transpired during the hearing incorrectly, as in the case at bar.

20. The Appellate Court continued "in the absence of any allegation of bias or wrongdoing on the part of the trial judge, we see no significance in the fact that on remand the transcript was reviewed by the trial judge rather than the court reporter." Id.

21. Here, Hammett is moving the Court to play the recordings of all three hearings held in the case in open court because Hammett alleges bias and wrongdoing by the Court and the court reporter.

22.

April 11, 2022.

Respectfully submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on April 11, 2022, I electronically filed this Motion to Set Aside Order and Judgment and Settle the Record with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

April 11, 2022

/S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
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Bohemian_books@yahoo.com

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65CV-21-20
C20D01 : 19 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

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LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

LAURA LYNN HAMMETT'S MOTION TO SET ASIDE ORDER AND JUDGMENT AND SETTLE THE RECORD

Comes Dismissed Without Prejudice Counterclaimant and Dismissed With Prejudice Individual Defendant Laura Lynn Hammett, in pro se, and for her motion to Set Aside Order and Judgment and Settle the Record, states as follows:

1. Laura Lynn Hammett ("Hammett") was dismissed from case 65CV-21-20 with prejudice on March 28, 2022 and Amended Order entered April 4, 2022. A dismissal with prejudice is on the merits.

2. Before her dismissal, Hammett filed a counterclaim on June 10, 2021 ("Counterclaim").

3. Plaintiff did not respond to the counterclaim timely.

4. Hammett filed a motion for default judgment on the counterclaim on July 13, 2021.

5. This Court denied the motion for default judgment on August 20, 2021. The Court wrote about the counterclaim, in full:

6. "On July 13, 2021 Separate Defendant/Counter-Plaintiff Laura Lynn filed a Motion for Default Judgement. In review of Defendant/Counter-Plaintiff's Counter-Claim, it is evident is it not in compliance with Arkansas Rules of Civil Procedure Rule 8. Therefore, said motion is denied and Counter-Claim is dismissed without prejudice." ¶ 2

7. Hammett intends to appeal the order of August 20, 2021 ¶ 2 based on the grounds that she was denied her Constitutional right to due process by lack of notification of the Court's motion to dismiss, inadequate argument by the court as movant against the counterclaim and no opportunity to respond. Also, the default judgment should have been granted due to a lack of response made timely. Hammett was also denied due process as the Court appeared to have a bias against Hammett and refused to recuse, twice.

8. The Sua Sponte dismissal of the counterclaim is part of the appearance of bias. Making findings that Hammett has any liability for the Plaintiff's alleged claims after Hammett was dismissed with prejudice is another of the many acts that show bias against Hammett by the Court.

9. Hammett has the right and intention to file a separate complaint for malicious prosecution within one year of her dismissal from lawsuit filed against her.

10. The Court filed an order titled "Order Granting Default Damages Against Individual Defendant Rural Revival Living Trust" on April 7, 2022. ("Order")

11. The title of the Order is misleading. The Court made findings against Hammett as an individual that, if they become "law of the case", seize Hammett's property in contradiction to Hammett's Fourth Amendment Rights pursuant to the

United States Constitution. The Order contradicts the dismissal of Hammett as a defendant with prejudice. It is res judicata with no summons served on the subsequent action and no opportunity to defend.

12. Hammett appears here by special appearance only, on only the issues addressed in the Order of April 7, 2022. Hammett is preserving her right to appeal the Order that contradicts the dismissal with prejudice.

13. The Court misstated the record several times in the Order.

14. The Court said "The Rural Revival Trust was not present" at the hearing of March 17, 2022. (Order opening unnumbered paragraph.) To the extent that Rural Revival Living Trust is not a properly named defendant and it is impermissible to sue a trust rather than a trustee, Hammett agrees. But Hammett is the trustee of the Rural Revival Living Trust and Hammett was present at the hearing. The Court forbid Hammett as an individual named jointly with the trust her right to present evidence and her right to cross-examine or make objections to the Plaintiff's testimony.

15. Hammett was not making arguments or asking to present witnesses on behalf of the trust. She wanted to represent herself as an individual. The Plaintiff did not want anyone to present evidence against him that showed his fraud, and thus dismissed Hammett as an individual, leaving only the unrepresented common-

defense unrepresented defendant trust. But he did not put his dismissal in writing until after the hearing.

16. The Court's denial of Hammett's individual rights gives the appearance of bias against both Hammett and the Trust. Any order of the biased Court is a violation of the 14th Amendment of the U.S. Constitution that should be overturned on appeal, where a defendant moved the trial court to recuse, was denied and it is later found by a higher court that there was actual appearance of bias. This case in particular lends itself to reversal because neither common-defense defendant could secure a licensed attorney to represent the defendant due to the appearance of bias.

17. The Court said its findings were "[b]ased upon the pleadings filed of record herein, statements of counsel, parties, and/or witness(es) []." (Order opening unnumbered paragraph) But the Court forbid Hammett, who was not yet dismissed with prejudice, from making any statements on her own behalf as a joint defendant under the Common-Defense Doctrine.

18. The Court said: "The Court ordered that a damages hearing be held on March 17, 2022. The purpose of the hearing was specifically limited to the Pietrzcak's presentation of damages against the Rural Revival Living Trust." (order ¶ 2) Hammett requested a jury by letter and at the beginning of the hearing and was denied. Hammett made a motion to stay the proceedings based upon blood

test results that showed a preponderance of Leukocytes in her blood, vomiting, nausea and inability to eat enough food. The Court denied the motion for stay, and commanded Hammett to work while ill to fulfill an overbroad subpoena that should have been quashed per Hammett's motion to quash. Hammett's infection moved to her urinary tract and caused her excruciating pain, necessitating the usually holistic and homeopathic older woman to take pharmaceuticals. Hammett was not able to represent herself properly in the weeks leading up to the kangaroo court.

19. The Court said: "The Court, several times, explained to Hammett that she is not a licenses [sic] attorney and could not make statements or arguments on behalf of the Rural Revival Living Trust." (Order ¶ 3) Hammett agrees she is not allowed to represent the trust in legal proceedings. But the Court left out Hammett's argument that she was able to make statements or arguments on behalf of herself as an individual common defendant. The Court did not allow Hammett her right to due process.

20. The Court said: "Hammett prepared a purported 'Marriage Contract' (attached as exhibit 3 to Pietrczak's Complaint). On October 14, 2021, based upon Hammett's announced agreement and consent the Court found that the contract was void ab initio and deemed to have no legal effect as if it never existed." (Order

¶ 4) This is false. First, the hearing on the issue of the contract was held on October 7, 2021, not the 14th or the 12th, (as sworn to on the affidavit of service of summons impermissibly e-signed by Chief Sheriff Deputy Ezra Pierce). Hammett does not know why the Court and the Plaintiff keep trying to change the date of that hearing in the official record.

21. Hammett agreed to void the contract. Hammett said the contract did not purport to create a legal marriage. The "marriage" between Pietrczak and Hammett was "in the eyes of God" only. Pietrczak, by appearing to accept the representation of William White and by a letter he signed that describes his fraud, by Hammett's unrebutted testimony on October 7, 2021 and a mountain of other evidence Hammett wanted to present, appeared to be committing fraud against Hammett when he signed the contract and all along their tumultuous relationship. Hammett did not agree that the contract was void ab initio.

22. The Court later decided that the warranty deed granting the title in the Lick Fork Property to Laura Lynn as Trustee of the Rural Revival Living Trust is also void ab initio because it was "prepared" by Laura Lynn. (Order ¶¶ 8,9) The first sentence of the warranty deed contains the phrase "Micheal Pietrczak, not married". The warranty deed was prepared after the misnomered "marriage contract", so it is obvious that the "marriage contract" did not purport to create a

marriage. That the Court did not notice this glaring inconsistency in her orders shows bias against Hammett.

23. The Court denied Hammett's motion to settle the record concerning the inaccurate transcript of the hearing of August 4, 2021 made by Court Reporter Jana Perry. Therefore, Hammett did not purchase a copy of the transcript of October 7, 2021. Hammett did order a copy of the transcript of March 17, 2022, because it was affordable. All three recordings and any transcripts obtained will be used in the *Portfolio Recovery* case to show how the Court in Pietrczak tormented Hammett. The transcript of March 17, 2022 was not produced to Hammett yet.

24. The errant Order was made despite Hammett's objection filed March 30, 2022 and motion to intervene in response to the Plaintiff's proposed order filed April 5, 2022. It also ignores the facts presented by Hammett in sworn testimony on August 4, 2021, October 7, 2021 and in numerous filings.

25. Laura Lynn Hammett has not been charged with any criminal conduct. Therefore, it would be completely inappropriate for the Court to find Laura Lynn Hammett committed any criminal act such as the unauthorized practice of law.

26. Finding Laura Lynn Hammett in violation of any criminal act violates a plethora of her rights to due process; Notification, representation, an opportunity to

present evidence that would exonerate her, an opportunity to subpoena exonerating evidence, etc.

27. The Court denied Laura Lynn Hammett an opportunity to present any evidence or make objections to the statements of Plaintiff's counsel and refused to allow Hammett an opportunity to cross examine Micheal Pietrczak at the hearing on March 17, 2022. The Court was adamant that Hammett would be committing the unauthorized practice of law on behalf of Rural Revival Living Trust if she presented evidence, cross examined the witness or objected to leading the witness.

28. In fact, Hammett looked to the Court in complete frustration, after hearing Plaintiff and his Counsel make numerous lies about her as an individual to the Court, but the Court denying Hammett the opportunity to rebut. The Court said for the record that Hammett gave the Court "stink eye".

29. The transcript, even if correct, cannot capture the Court's tone of voice which was hostile toward Hammett and sweet to Plaintiff and his counsel.For example, when the Court finally said anything about Mr. White calling Hammett "bitch" and Hammett's "bullshit blog", the admonishment was not addressed to Mr. White and was said in a consoling voice.

30. Now the Court made findings against Laura Lynn Hammett as an individual based upon the kangaroo court hearing.

31. It is absurd that the Court dismissed Hammett with prejudice and a few days later found for the Plaintiff against Hammett on numerous claims made in the Complaint.

32. These "findings" against Laura Lynn Hammett are factually incorrect:

33. "Hammett prepared a purported 'Marriage Contract' (attached as exhibit 3 to Pietrczak's Complaint)." (Order ¶ 4) The contract was not a marriage contract and was prepared jointly by Hammett and Pietrczak.

34. Of great import, the money used to purchase the Lick Fork Property was obtained in part by a lawsuit Hammett and Pietrczak filed as joint plaintiffs, called "Kahia". Both parties contributed and collaborated on the filings in *Kahia*. But Hammett did every bit of the clerical work involved. If Pietrczak contends that Hammett prepared the "marriage contract" without him, he must also agree that the $290,000 collected in the Kahia suit was due 100% to Hammett's clerical work and writing and Pietrczak's award was void ab initio.

35. "Hammett's purported claims to the Lick Fork Property were based upon the purported 'Marriage Contract' discussed in the preceding paragraph and are therefore deemed to have no legal effect as if it never existed." (Order ¶ 5) Hammett's claims to the Lick Fork Property are based only in part on the misnomered "marriage contract". Hammett's claims to the Lick Fork Property are

also based on a bailiff theory, constructive trust, a set-off for over $260,000 Pietrczak borrowed from Hammett, an unknown sum Pietrczak misappropriated from Hammett as trustee of the Laura Lynn Living Trust, and the fraud Pietrczak committed on Hammett in which he convinced her to put the Lick Fork Property into the Rural Revival Living Trust instead of her own name, and then convincing Hammett to make thousands of dollars in "mortgage payments" on behalf of the trust, knowing he would use the money collected to pay William White to convince the Court to award many times the amount the former "husband and wife in the eyes of God" agreed would be paid to Pietrczak.

36. "On or about March 22, 2016, Hammett prepared a Mortgage Agreement (attached as Exhibit 5 to Pietrczak's Complaint) on behalf of the Rural Revival Living Trust []." (Order ¶ 6) Hammett and Pietrczak prepared the Mortgage agreement together, using a form they found online.

37. "On or about March 22, 2016, Hammett prepared a Warranty Deed (attached as Exhibit 6 to Pietrczak's Complaint) on behalf of the Rural Revival Living Trust []." (Order ¶ 8) Hammett and Pietrczak prepared the Warranty deed together. Hammett wanted to make the deed to herself as an individual. Pietrczak insisted it be made to a trust. He said he was afraid Hammett's former spouse would attach a child support lien to the Lick Fork Property. (The child support lien was paid off

out of Hammett's separate property, a distribution of over $1.4M as a shareholder in Silver Strand Plaza, LLC in February 2017.) Hammett did not sign the deed as an individual nor as a trustee of the trust. Only Pietrczak signed the deed.

38. Because Pietrczak prepared and signed the deed as an individual, it was not void ab initio, as stated by the Court in Order ¶ 9. It is highly questionable that a trustee cannot transfer property without an attorney preparing the deed. Hammett asked an escrow officer, who said she does not require the deed to a trust to be prepared by an attorney and has never had a dispute arise later. But Hammett as an individual is not arguing on behalf of the Rural Revival Living Trust. Hammett is merely referencing the misstatement of the Court to show that the Court abused its discretion in transferring the Lick Fork Title back to Pietrczak. This abuse of discretion is another appearance of bias against the common-defense defendants by Judge Susan Weaver. Hammett is arguing that the misstatement is an appearance of bias against Hammett as an individual, as well as being an appearance of bias against the trust. Hammett has a right to make statements of fact concerning the trust. She is not allowed to argue law on behalf of the trust. Appearance of bias is a fact, not a law.

39. "The Rural Revival Living Trust knew or should have known that Hammett is not a licensed attorney and that she is prevented from preparing legal documents

on behalf of Pietrczak and/or the Rural Revival Living Trust." (Order ¶ 10) A trust is "a property interest held by one person (the *trustee*) at the request of another (the *settlor*) for the benefit of a third party (the *beneficiary*)." TRUST, Black's Law Dictionary (11th ed. 2019) A trust is not a person, either actual or fictitious, and therefore cannot think. Hammett makes this argument, not on behalf of the Rural Revival Living Trust, but as an individual to show the appearance of bias by the Court. The Court knew or should have known that claims could not be made against a trust as defendant, but must be made against a trustee of the trust, that the trustee of the Rural Revival Living Trust was not named in the caption and was not named on the summons (the summons directed to "Rural Revival Living Trust c/o Laura Lynn Hammett") and that the deed was to "Laura Lynn as trustee of Rural Revival Living Trust", not the Rural Revival Living Trust. This misstatement in the findings is therefore more appearance of bias by the Court against both common-defense defendants.

40. Further, it is absurd that the Court is expecting the trustee to know the law, but the trustee is forbidden from practicing law on behalf of the trust. The rule against the unauthorized practice of law is supposed to protect the trust property. Not seize the property from a trust that cannot retain a licensed attorney because of the appearance of bias by the Court and the fear that instills in the attorneys.

41. “The Rural Revival Living Trust filed the unauthentic and fraudulent, Mortgage Agreement and Warranty Deed into the records of the Searcy County Recorder to cloud Pietrczak’s title to the Lick Fork Property and to adversely affect, impair, or discredit the title of Pietrczak’s interest in the Lick Fork Property.” (Order ¶ 13) The Court attributed preparation of the documents to Hammett, then in the same document attributed filing of the documents to the Rural Revival Living Trust. This is inconsistent and shows bias against Hammett and the trust.

42. “The [], Affidavit of Laura Lynn, [] described further herein are canceled, held null, and void and of no legal effect as if they had never existed.” (Order ¶ 14) The affidavit does not involve or mention the trust, the trust did not exist at the time the affidavit was written. The Court is seizing rights that belong to Hammett as an individual with no due process, in contradiction to the dismissal with prejudice and with the appearance of bias.

43. “Any and all clouds on the title of Pietrczak’s Lick Fork Property is removed.” (Order ¶ 15) The Court failed to limit the removal of clouds on title to the Rural Revival Living Trust. As written, the Order would seize rights that belong to Hammett as an individual with no due process, in contradiction to the dismissal with prejudice and with the appearance of bias.

44. "The Court renders judgment in Pietrczak's favor and grants recovery of the possession of the Lick Fork Property and grants the recovery of the costs incurred by Pietrczak for the necessitation of this action as set forth within Ark. Code Ann. §18-60-207, 209." (Order ¶ 16) Pietrczak's Complaint named Hammett as a joint defendant who was in possession of the Lick Fork Property and the Court dismissed Hammett with prejudice. The Court cannot now deny Hammett's right to possession of the Lick Fork Property.

45. "The cloud on the title of Pietrczak's Lick Fork Property is removed and is not subject to any lien, mortgage, other encumbrances." (Order ¶ 26) Pietrczak's Complaint named Hammett as a joint defendant who encumberred the Lick Fork Property and the Court dismissed Hammett with prejudice. The Court cannot now deny Hammett's claimed right to the Lick Fork Property.

46. "The Court Orders title to the Lick Fork Property be placed into the Micheal A. Pietrczak Special Needs Trust as previously considered and ruled upon by the Court." (Order ¶ 27) The Court did not issue or enter a ruling on the motion to transfer title to the special needs trust. Hammett filed a motion to intervene on April 5, 2022. That motion was not ruled on. Placing the title into the special needs trust would be a fraudulent transfer that effects Hammett's ability to recover her

property after her counterclaim is reinstated on appeal and after Hammett prevails on a separate suit for malicious prosecution.

47. Plaintiff's counsel has threatened the court findings will be used against Hammett in several other cases, some filed by Plaintiff's counsel. (See email from Attorney William White, a true and correct copy attached as exhibit 1 to Motion to Intervene filed April 5, 2022 and incorporated herein as if set forth in full.)

48. In the email chain, Plaintiff's counsel States that the bidding on the property will start at $350,000. At the hearing a few days prior, plaintiff claimed the property was valued at about $150,000. It appears Plaintiff's Counsel violated Rule 11 or encouraged his client to commit perjury. Plaintiff's Counsel was leading the witness on direct examination.

49. Plaintiff's counsel also threatened to file a motion for attorney fees against Hammett. He is probably going to use the "findings" against Hammett made in the proposed order.

50. Hammett has disclosed in a different case that she is using the pleadings from the Pietrczak case to help prove why she was suffering from Post-Traumatic Stress Disorder. (*Hammett v. Portfolio Recovery Associates, LLC et al*, United States District Court, Eastern District of Arkansas, 4:21-CV-00189-LPR)

51. The *Portfolio Recovery* case stems from an alleged debt that was plausibly incurred by identity theft by Micheal Pietrczak. The defendant in that case disclosed that it intends to call Micheal Pietrczak as a witness. Any findings against Hammett made after she was dismissed with prejudice might be used to cause harm to Hammett's case against the debt collector. (Hammett will present this document and the avalanche of documentary evidence showing Pietrczak committed fraud and this Court had a disturbing bias against Hammett, but it is better not to give Portfolio Recovery Associates, LLC any false and impermissible ammunition.)

52. Hammett asks this Court to amend its Order and Judgment, removing any reference to conduct alleged against Hammett as an individual or inconsistent due to the Common-Defense Doctrine. The Plaintiff made his complaint against Hammett "and/or" the Rural Revival Living Trust. Hammett requested a more definite statement, but none was made. The Rural Revival Living Trust and Hammett have a common defense. The Order of April 7, 2022 is counterindicated because Hammett was previously dismissed with prejudice and the Order seizes Hammett's rights impermissibly.

53. Hammett also asks the Court to play the audio recordings of the hearings of August 4, 2021, October 7, 2021 and March 17, 2021 in open court to prove the

Court has misstated the record. The audio recording is "best evidence" and Hammett contends there was official misconduct by the Court and the court reporter by their inaccurate reporting of the record.

54. To the extent that the Court by its Order found Hammett jointly liable for property damage, the Court is in violation of Ark. R. Civ. Pro. Rule 52 for allowing Pietrczak to collect on property damages. (see brief)

April 11, 2022.

Respectfully submitted,

/s/ Laura Lynn Hammett
Laura Lynn Hammett, in pro se

CERTIFICATE OF SERVICE

I hereby certify that, on April 11, 2022, I electronically filed this Motion to Set Aside Order and Settle the Record with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

April 11, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Apr-13 14:35:17
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

V. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST **DEFENDANT**

SECOND MOTION TO STRIKE NON-PARTY'S PLEADINGS AND BRIEF IN SUPPORT THEREOF

Comes now the Plaintiff, Michael Pietrczak (hereafter referred to as "Pietrczak"), via attorney, William Z. White, who in support of this Motion to Strike Non-Party's Pleadings, states and allege as follows:

1. Laura Lynn Hammett was voluntarily dismissed with prejudice as a party to this case on March 28, 2022.

2. Laura Lynn Hammett filed a written objection on March 30, 2022. Pietrczak previously filed a Motion to Strike Non-Party's Objection on April 1, 2022. Pietrczak renews that motion and incorporates it herein by reference as if it were set forth word for word pursuant to Ark. R. Civ. P. 10.

3. Laura Lynn Hammett filed a Response to Motion to Strike Her Objection to Findings Against Her After She Was Dismissed with Prejudice; Alternatively, Motion to Interplead or Intervene on April 1, 2022.

4. Laura Lynn Hammett filed a Motion to Intervene, Brief, and Exhibit on April 5, 2022.

5. Laura Lynn Hammett filed a Motion to Set Aside Judgment and Brief on April 11, 2022.

6. Laura Lynn Hammett is no longer a party to this case, nor has she been permitted to interplead or to intervene. Therefore, Laura Lynn Hammett is prohibited from filing her written objection, Response to Motion to Strike Her Objection to Findings Against Her After She Was Dismissed with Prejudice; Alternatively, Motion to Interplead or Intervene, and her Motion to Set Aside pleadings in this case. Further, the Exhibit filed on April 5, 2022, is clearly entitled "Settlement offer on Pietrczak" and as such should be stricken from the record pursuant to Ark. R. Evid. 408.

7. Pietrczak requests that this Court prevent Laura Lynn Hammett's continued attempts to harass, annoy, and vilify the Plaintiff. Laura Lynn Hammett has continually burdened this Court's time with a series of uneducated non-sensical pleadings that lack any basis in fact or law.

8. For the reasons stated herein, the above-mentioned pleadings and exhibit filed by Laura Lynn Hammett should be struck from the record.

WHEREFORE, Pietrczak, respectfully requests that this Court grant this motion on the basis set forth herein and grant any and all relief that Pietrczak may be entitled whether specifically prayed for herein or not.

Respectfully submitted on behalf of the
Plaintiff, Michael Pietrczak.

By: _____

William "Zac" White – Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
706 W. Quitman Street
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
E-mail: wzwhite@wzwhite.com

CERTIFICATE OF SERVICE

I, William Z. White, hereby certify that a true and correct copy of the foregoing pleading has been served upon opposing counsel of record and/or other interested parties in this case as set forth below either by ☐ hand delivery, ☐ facsimile, ☐ email, ☒ electronic mail, auto notification via the Court's ECF/E-File System ☐ other delivery methods_____, and/or ☐ depositing a copy of the same with the U.S. Postal Service with sufficient postage to arrive at its destination, addressed to the following:

Rural Revival Living Trust

Dated: Wednesday, April 13, 22

William Z. White

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Apr-14 16:01:26
65CV-21-20
C20D01 : 1 Page

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **NO. 65CV-21-20**

RURAL REVIVIAL LIVING TRUST
AND LAURA LYNN **DEFENDANT**

ORDER

The Court, based on the pleadings, arguments, and all other considerations before the court, doth hereby FIND, ORDER, ADJUDGE, AND DECREE:

1. Any and all other motions filed herein, shall be denied.

IT IS SO ORDERED.

CIRCUIT JUDGE

04/14/2022
DATE

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Apr-16 07:50:30
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

LAURA LYNN HAMMETT'S OBJECTION TO ORDER FILED APRIL 14, 2022

Comes Counterclaimant Laura Lynn Hammett and separate Defendant Laura Lynn Hammett ("Hammett"), in pro se, to object to the Order filed April 14, 2022.

1. The Court made an order on April 14, 2022 that states in full, "The Court, based on the pleadings, arguments, and all other considerations before the court, doth hereby FIND, ORDER, ADJUDGE, AND DECREE: 1. Any and all other motions filed herein, shall be denied. IT IS SO ORDERED."
2. The use of the future tense "shall" makes this confusing to the pro se litigant but she thinks the Court meant that all pending and future motions filed (such as for attorney fees or a writ of supersedes) *are* denied by this order.
3. This Order violates Hammett's right to due process under the law afforded by the First and Fourteenth Amendments of the United States Constitution and Arkansas Rules of Civil Procedure.
4. There are several post judgment motions that are allowed, such as for a motion to provide attorney fees or a writ of supersedes.
5. Several pending motions, some filed by Hammett and some filed by Plaintiff, have not been fully briefed. For example, Plaintiff did not respond to Hammett's Motion to Set Aside Judgement filed on April 11, 2022, therefore Hammett has not filed a reply.

6. The Order is an indisputable appearance of bias as the Court is admitting that it made its mind up about its decision before any further motion is even presented.

Respectfully submitted,

April 16, 2022
/s/ Laura Lynn Hammett
Laura Lynn Hammett, misnomered Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on April 16, 2022, I electronically filed this Objection to Order Filed April 14, 2022 with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

April 16, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Apr-20 06:23:49
65CV-21-20
C20D01 : 8 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

LAURA LYNN HAMMETT'S NOTICE OF INTENT TO APPEAL

Comes Counterclaimant Laura Lynn Hammett and separate Defendant Laura Lynn ("Hammett"), in pro se, with this notice of her intent to appeal.

Separate Defendant Rural Revival Living Trust ("the Trust") is unrepresented and lost by default. Dozens of attorneys were contacted to represent the Trust and all turned down the Trust. Several said they felt uncomfortable because of the appearance of bias against the defendants. Others said they were too busy. The Trust was named jointly with Hammett who was dismissed on the merits on each claim against the Trust.

Hammett is appealing the following orders:

1. Purported Oral Order for extension of time to serve summons on separate defendant Rural Revival Living Trust supposedly made August 4, 2021.
2. Order to continue made orally August 4, 2021.
3. ORDER TO EXTEND TIME TO PERFECT SERVICE entered August 19, 2021 to the extent it affected Hammett's rights.
4. ORDER entered August 20, 2021, suborders:
    1. Written order concerning continuance.
    2. Denying Hammett's motion for default judgment and dismissing Counterclaim sua sponte with inadequate reasoning and no opportunity to rebut.

3. Denying Hammett's motion to have requests for admissions deemed admitted.
4. Denying Hammett's motion to dismiss.
5. Denying Hammett's motion in limine, to the extent that the case is remanded and a trial ensues.
6. Denying Hammett's renewed objection to the continuance and making findings that the Court complied with Hammett's motion for a written order clarifying the oral orders made on August 4, 2021 as the written order was untimely and inaccurate.
7. Denying Hammett's motion to read jury instructions to the extent the case is remanded and goes to a jury trial.
8. The Court's finding "well more than ten (10) days have past since Plaintiff made the oral motion [for extension of time to serve summons] and she failed to file a timely response or objection."
9. All orders made after December 17, 2021 pursuant to the order, "If Separate Defendant/Counter-Plaintiff Laura Lynn, is not served under Rule 4 of the Arkansas Rules of Civil Procedure within the 120 day extension, this case will be dismissed." Separate Defendant/Counter-Plaintiff Laura Lynn was never served under Rule 4, and therefore all

proceedings following the 120 days from August 19, 2021 and August 4, 2021 are null and void as the Court ordered it would dismiss the case on that day pursuant to paragraph 9 of the order entered August 20, 2021.

5. ORDER TO STRIKE entered August 20, 2021, sua sponte with no opportunity to rebut.
6. AMENDED SCHEDULING ORDER entered August 30, 2021.
7. ORDER DENYING MOTION FOR RECUSAL entered September 24, 2021.
8. ORDER GRANTING MOTION TO DECLARE CONTRACT VOID AB INITIO entered October 14, 2021.
9. ORDER ADDRESSING PENDING MOTIONS entered February 25, 2022, suborders:
    1. Denying Hammett's Motion to Strike Untimely Responses to Requests for Admissions.
    2. Denying Hammett's Motion for Reconsideration of Order to Strike.
    3. Denying Hammett's Motion for Summary Judgment.
    4. Denying Hammett's Motion to Settle the Record.
    5. Denying Hammett's Motion for Reconsideration of the Order filed on August 20, 2021

6. The order in paragraph 6, the Court said a document served by filing electronically was considered served "via email" on a Friday and therefore "the clock began to run the following Monday".
7. Not in contention.
8. Denying Hammett's Motion to Quash.
9. Denying Hammett's Motion to Dismiss.
10. Denying Hammett's Motion to Strike and Motion to Dismiss.
11. Not in contention.
12. Granting Plaintiff's Motion to Deem Service Perfected as it affects Hammett's individual rights.

10. ORDER DENYING SECOND MOTION TO RECUSE entered February 25, 2022.
11. ORDER denying Hammett's Motion for Stay entered March 14, 2022.
12. ORDER GRANTING DEFAULT DAMAGES AGAINST INDIVIDUAL DEFENDANT RURAL REVIVAL LIVING TRUST entered April 7, 2022 as it effects Hammett's individual rights and makes impermissible "findings" against Hammett as an individual.
13. ORDER entered April 14, 2022 stating "Any and all other motions filed herein, shall be denied" as to the suborders:

1. Denying Hammett's Motion to Dismiss for Failure to Name and Serve a Necessary Party in Violation of Rule 19 and 4(i) filed December 29, 2021.
2. Denying Hammett's motion demanding a jury for the hearing of March 17, 2022 which occurred before Hammett was dismissed with prejudice.
3. Denying Hammett's Motion for Contempt against William Z. White and Micheal Pietrczak filed March 13, 2022.
4. Denying Hammett's motion (called an objection) to reinstate the caption which was amended without a motion to amend to name Hammett by her legal name instead of "Laura Lynn".
5. Denying Hammett's MOTION FOR WRITTEN ORDER AND LAURA LYNN HAMMETT'S RENEWED OBJECTION TO EXCLUSION FROM PARTICIPATION IN A TRIAL OF ISSUES IN WHICH SHE HAS POTENTIAL JOINT LIABILITY filed March 18, 2022.
6. Denying Hammett's Motion to Intervene filed April 5, 2022.
7. Denying Hammett's Motion to Set Aside Judgment filed April 11, 2022.
8. Denying any motion Hammett intended to file on April 14 or later, including Motion for Attorney Fees and Motion for Writ of Supersedes.

Designation of Record on Appeal:

Hammett designates the entire record including all documents filed and the transcript of the hearings held August 4, 2021, October 7, 2021 and March 17, 2022. Because of allegations that there was misconduct by the Court and the Court Reporter who created an inaccurate transcript for record of the hearings, Appellant will make a motion for the record to be settled. (Two motions to settle the record at the trial court were denied.)

Hammett has ordered the transcript of the lower court proceedings and has paid any fees required to secure the transcript as arranged on April 19, 2022 as required by Arkansas law pursuant to Arkansas Code Annotated § 16-13-510.

This appeal is made to the Court of Appeals.

Hammett abandons any pending but unresolved claim. Hammett is not aware of any pending but unresolved claims, though the Court made an order on April 14, 2022 that states in full, "The Court, based on the pleadings, arguments, and all other considerations before the court, doth hereby FIND, ORDER, ADJUDGE, AND DECREE: 1. Any and all other motions filed herein, shall be denied. IT IS SO ORDERED." The use of the future tense "shall" makes this confusing to the pro se litigant but she thinks the Court meant that all pending and future motions filed (such as for attorney fees or a writ of supersedes) *are* denied by this order.

Respectfully submitted,

April 20, 2022

/s/ Laura Lynn Hammett

Laura Lynn Hammett, misnomered Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road

Conway, Arkansas 72032

(760) 966-6000

Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that, on April 20, 2022, I electronically filed this Notice of Intent to Appeal with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to the Court and all counsel of record. A paper copy was sent by certified mail to:

April 20, 2022

/S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-May-06 12:12:41
65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANT**

NOTICE OF APPEAL AND DESIGNATION OF RECORD

Comes now the Defendant, Rural Revival Living Trust, by and through its attorney, Dustin A. Duke, AR Law Partners, PLLC, and for its Notice of Appeal states:

1. Defendant, Rural Revival Living Trust, is appealing to the Arkansas Court of Appeals from the April 7, 2022 Order Granting Default Damages Against Individual Defendant Rural Revival Living Trust and all orders entered prior to April 7, 2022 in this action.

2. Defendant hereby designates the entire record, and all proceedings, exhibits, evidence, and documents introduced in evidence to be contained in the record on appeal.

3. The transcript of the testimony has previously been ordered from the Court Reporter(s) and financial arrangements made with the Court Reporter(s) by the separate Defendant Laura Lynn, pursuant to Ark. Code Ann. § 16-13-510(c).

4. JURISDICTIONAL STATEMENT. Said appeal is made to the Akransas Court of Appeals pursuant to Rule 1-2(a) of the Rules of the Supreme Court.

Respectfully Submitted,



_____

Dustin A. Duke, Ark. Bar 2001242
AR Law Partners, PLLC
415 N. McKinley Street, Ste. 830
Little Rock, AR 72205
(501) 710-6500
dustin@arlawpartners.com

CERTIFICATE OF SERVICE

Pursuant to A.R.C.P., Rule 5, I, Dustin A. Duke, attorney for Defendant Rural Revival Living Trust do hereby certify that a true and correct copy of the foregoing document has been served by depositing a copy of it in the U.S. Mail, Certified Return Receipt Requested and postage prepaid and the return address of the sender thereon, addressed to the persons below on this date.

Hon. Susan Weaver
Courthouse
801 Locust Street
Conway, AR 72034

William "Zac" White
Attorney for the Plaintiff
PO Box 1087
Heber Springs, AR 72543



Dustin A. Duke

Date: May 6, 2022

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-May-07 14:07:15
65CV-21-20
C20D01 : 8 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

LAURA LYNN HAMMETT'S AMENDED NOTICE OF INTENT TO APPEAL

Comes Counterclaimant Laura Lynn Hammett and separate Defendant Laura Lynn ("Hammett"), in pro se, with this notice of her intent to appeal.

1. Hammett is appealing to the Arkansas Court of Appeals from the April 14, 2022 Order stating "Any and all other motions filed herein, shall be denied" as to the suborders:

   i. Denying Hammett's Motion to Dismiss for Failure to Name and Serve a Necessary Party in Violation of Rule 19 and 4(i) filed December 29, 2021.

   ii. Denying Hammett's motion demanding a jury for the hearing of March 17, 2022 which occurred before Hammett was dismissed with prejudice.

   iii. Denying Hammett's Motion for Contempt against William Z. White and Micheal Pietrczak filed March 13, 2022.

   iv. Denying Hammett's motion (called an objection) to reinstate the caption which was amended without a motion to amend to name Hammett by her legal name instead of "Laura Lynn".

   v. Denying Hammett's MOTION FOR WRITTEN ORDER AND LAURA LYNN HAMMETT'S RENEWED OBJECTION TO EXCLUSION FROM PARTICIPATION IN A TRIAL OF ISSUES IN WHICH SHE HAS POTENTIAL JOINT LIABILITY filed March 18, 2022.

vi. Denying Hammett's Motion to Intervene filed April 5, 2022.

vii. Denying Hammett's Motion to Set Aside Judgment filed April 11, 2022.

viii. Denying any motion Hammett intended to file on April 14 or later, including Motion for Attorney Fees and Motion for Writ of Supersedes.

Hammett is also appealing the following orders:

2. Purported Oral Order for extension of time to serve summons on separate defendant Rural Revival Living Trust supposedly made August 4, 2021.
3. Order to continue made orally August 4, 2021.
4. ORDER TO EXTEND TIME TO PERFECT SERVICE entered August 19, 2021 to the extent it affected Hammett's rights.
5. ORDER entered August 20, 2021, suborders:
   i. Written order concerning continuance.
   ii. Denying Hammett's motion for default judgment and dismissing Counterclaim sua sponte with inadequate reasoning and no opportunity to rebut.
   iii. Denying Hammett's motion to have requests for admissions deemed admitted.
   iv. Denying Hammett's motion to dismiss.

v. Denying Hammett's motion in limine, to the extent that the case is remanded and a trial ensues.

vi. Denying Hammett's renewed objection to the continuance and making findings that the Court complied with Hammett's motion for a written order clarifying the oral orders made on August 4, 2021 as the written order was untimely and inaccurate.

vii. Denying Hammett's motion to read jury instructions to the extent the case is remanded and goes to a jury trial.

viii. The Court's finding "well more than ten (10) days have past since Plaintiff made the oral motion [for extension of time to serve summons] and she failed to file a timely response or objection."

ix. All orders made after December 17, 2021 pursuant to the order, "If Separate Defendant/Counter-Plaintiff Laura Lynn, is not served under Rule 4 of the Arkansas Rules of Civil Procedure within the 120 day extension, this case will be dismissed." Separate Defendant/Counter-Plaintiff Laura Lynn was never served under Rule 4, and therefore all proceedings following the 120 days from August 19, 2021 and August 4, 2021 are null and void as the Court ordered it would dismiss the case on that day pursuant to paragraph 9 of the order entered August 20, 2021.

6. ORDER TO STRIKE entered August 20, 2021, sua sponte with no opportunity to rebut.
7. AMENDED SCHEDULING ORDER entered August 30, 2021.
8. ORDER DENYING MOTION FOR RECUSAL entered September 24, 2021.
9. ORDER GRANTING MOTION TO DECLARE CONTRACT VOID AB INITIO entered October 14, 2021.
10. ORDER ADDRESSING PENDING MOTIONS entered February 25, 2022, suborders:
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    ii. Denying Hammett's Motion for Reconsideration of Order to Strike.
    iii. Denying Hammett's Motion for Summary Judgment.
    iv. Denying Hammett's Motion to Settle the Record.
    v. Denying Hammett's Motion for Reconsideration of the Order filed on August 20, 2021
    vi. The order in paragraph 6, the Court said a document served by filing electronically was considered served "via email" on a Friday and therefore "the clock began to run the following Monday".

vii. Not in contention.

viii. Denying Hammett's Motion to Quash.

ix. Denying Hammett's Motion to Dismiss.

x. Denying Hammett's Motion to Strike and Motion to Dismiss.

xi. Not in contention.

xii. Granting Plaintiff's Motion to Deem Service Perfected as it affects Hammett's individual rights.

11. ORDER DENYING SECOND MOTION TO RECUSE entered February 25, 2022.

12. ORDER denying Hammett's Motion for Stay entered March 14, 2022.

13. ORDER GRANTING DEFAULT DAMAGES AGAINST INDIVIDUAL DEFENDANT RURAL REVIVAL LIVING TRUST entered April 7, 2022 as it effects Hammett's individual rights and makes impermissible "findings" against Hammett as an individual.

14. ORDER entered April 14, 2022

Designation of Record on Appeal:

Hammett hereby designates the entire record, and all proceedings, exhibits, evidence, and documents introduced in evidence to be contained in the record on appeal.

Hammett has ordered the transcript of the lower court proceedings and has paid any fees required to secure the transcript as arranged on April 19, 2022 as required by Arkansas law pursuant to Arkansas Code Annotated § 16-13-510(c).

JURISDICTIONAL STATEMENT. Said appeal is made to the Akransas Court of Appeals pursuant to Rule 1-2(a) of the Rules of the Supreme Court.

Hammett abandons any pending but unresolved claim.

Respectfully submitted,

May 7, 2022

/s/ Laura Lynn Hammett

Laura Lynn Hammett, misnomered Defendant and Counterclaimant, in pro se

16 Gold Lake Club Road

Conway, Arkansas 72032

(760) 966-6000

Bohemian_books@yahoo.com

CERTIFICATE OF SERVICE

Pursuant to A.R.C.P., Rule 5, I, laura Lynn Hammett, in pro se, do hereby certify that a true and correct copy of the foregoing document has been served by depositing a copy of it in the U.S. Mail, Certified Return Receipt Requested with signature required and postage prepaid and the return address of the sender thereon, addressed to the persons below on this date.

Hon. Susan Weaver
Courthouse
801 Locust Street
Conway, AR 72034

William "Zac" White
Attorney for the Plaintiff
PO Box 1087
Heber Springs, AR 72543

May 7, 2022

/S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Jun-15 17:52:03
65CV-21-20
C20D01 : 2 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANT**

MOTION TO WITHDRAW AS COUNSEL

Comes now Dustin A. Duke of AR Law Partners, PLLC, attorney for the Defendant Rural Revival Living Trust and for his Motion to Withdraw as Counsel of record, states the following:

1. That Counsel's Motion is presented to this Court pursuant to and in accordance with Rule 64 of the Arkansas Rules of Civil Procedure.

2. That Counsel filed a notice of appeal in the above named action on behalf of Defendant Rural Revival Living Trust on May 6, 2022.

3. That Counsel and the Trustee of the Rural Revival Living Trust disagree on how to proceed in this matter. It has become impossible for Counsel to continue his representation of the Trust. It is therefore necessary for Dustin A. Duke, AR Law Partners, PLLC to withdraw as the attorneys for the Defendant Rural Revival Living Trust.

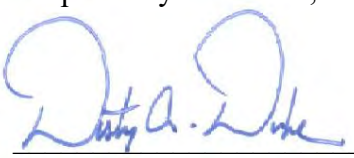
4. That Counsel has taken reasonable steps to avoid foreseeable prejudice to the rights of the Defendant.

5. That there are no unearned fees to be returned to the Defendant. Counsel has provided Defendant with any documents to which Defendant is entitled.

6. That Counsel states that he believes that good cause exists to allow said attorney and law firm to withdraw as attorneys of record for the Defendant.

WHEREFORE, Dustin A. Duke of AR Law Partners, PLLC, prays for an Order relieving said attorney and law firm from further representation of Defendant Rural Revival Living Trust in this action; and for all other relief to which he is legally and equitably entitled.

Respectfully submitted,

By: 

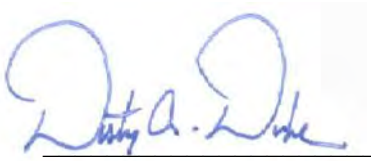
Dustin A. Duke, Ark. Bar 2001242
AR Law Partners, PLLC
415 N. McKinley Street
Little Rock, AR 72205
(501) 710-6500
dustin@arlawpartners.com

CERTIFICATE OF SERVICE

I, Dustin A. Duke, hereby certify that I sent the following person the foregoing document on this date through the following means:

William "Zac" White
Attorney for the Plaintiff
PO Box 1087
Heber Springs, AR 72543 — *Via the Court's electronic filing system*

Laura Lynn, Trustee
Rural Revival Living Trust — *Via Email*
bohemian_books@yahoo.com



Dustin A. Duke

Date: June 15, 2022

ELECTRONICALLY FILED
Searcy County Circuit Court
Debbie Loggins, Circuit/County Clerk
2022-Jun-17 10:58:35
65CV-21-20
C20D01 : 4 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS

CIVIL DIVISION

CASE No. 65CV-21-20

MICHEAL PIETRCZAK	**PLAINTIFF**
v.	
RURAL REVIVAL LIVING TRUST; AND LAURA LYNN	**DEFENDANTS**
LAURA LYNN HAMMETT	**COUNTER-CLAIMANT**
v.	
MICHEAL PIETRCZAK	**COUNTER-DEFENDANT**

SEPARATE COUNTERCLAIMANT LAURA LYNN HAMMETT'S MOTION FOR EXTENSION OF TIME TO FILE THE RECORD ON APPEAL PURSUANT TO ARK. R. APP. P. 5(b); BRIEF WITHIN

Comes Separate Counterclaimant Laura Lynn Hammett ("Hammett"), in pro se, and for her Motion for Extension of Time to File the Record on Appeal Pursuant to Ark. R. App. P. 5(b), states as follows:

1. Hammett filed a Notice of Appeal on April 20, 2022.
2. The Record on Appeal shall be filed with the Clerk of the Arkansas Supreme Court and docketed therein within 90 days, July 19, 2022. (Ark. R. App. P. 5(a)
3. If the record will not be prepared timely, the appellant must give the other parties an opportunity to object either in writing or by hearing. (Ark. R. App. P. 5(b)(1)(C))
4. If the motion is made in writing, the opposing party has 10 days plus weekends to respond. (Ark. R. Civ. P. 6)
5. Therefore, in order to ensure time for an opposition and for the Court to decide, this motion is being filed despite the hope and assurances that the Court Reporter and Clerk will complete their tasks timely.
6. The appellant, in compliance with Rule 6(b), has timely ordered the stenographically reported material from the court reporter and made any financial arrangements required for its preparation.
7. This order is contingent on the need for an extension of time for the court reporter to include the stenographically reported material in the record on appeal or for the

circuit clerk to compile the record. If the order is not granted and the record is not complete by July 18, 2022, appellant intends to file with the clerk of the Supreme Court a petition for writ of certiorari pursuant to Rule 3-5 of the Rules of the Supreme Court and Court of Appeals.

8. WHEREFORE, Separate Defendant Counterclaimant Laura Lynn Hammett, prays that her Motion for an extension of time to file the record on appeal until the complete record is compiled and Hammett notified of such plus three business days, but no more than seven months be granted.

This 17th day of June, 2022.

Respectfully submitted,

CERTIFICATE OF SERVICE

I hereby certify that, on June 17, 2022 I electronically filed the Separate Counterclaimant Laura Lynn Hammett's Motion for extension of time to file the record on appeal with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

June 17, 2022 /S/ Laura Lynn Hammett

Laura Lynn Hammett
16 Gold Lake Club Road
Conway, Arkansas 72032
(760) 966-6000
Bohemian_books@yahoo.com
Defendant and Counterclaimant, pro se

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2022-Jul-05 08:03:25
65CV-21-20
C20D01 : 3 Pages

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **CASE NO. 65CV-21-20**

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN **DEFENDANT**

AMENDED
MOTION TO WITHDRAW AS COUNSEL

Comes now Dustin A. Duke of AR Law Partners, PLLC, attorney for the Defendant Rural Revival Living Trust and for his Amended Motion to Withdraw as Counsel of record, states the following:

1. That Counsel's Motion is presented to this Court pursuant to and in accordance with Rule 64 of the Arkansas Rules of Civil Procedure.

2. That Counsel filed a notice of appeal in the above named action on behalf of Defendant Rural Revival Living Trust on May 6, 2022.

3. That Counsel and the Trustee of the Rural Revival Living Trust disagree on how to proceed in this matter. It has become impossible for Counsel to continue his representation of the Trust. It is therefore necessary for Dustin A. Duke, AR Law Partners, PLLC to withdraw as the attorneys for the Defendant Rural Revival Living Trust.

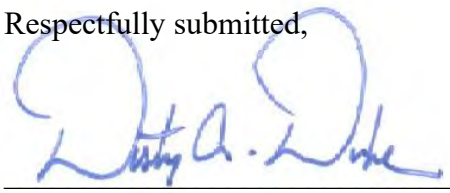
4. That Counsel has taken reasonable steps to avoid foreseeable prejudice to the rights of the Defendant, including giving Defendant notice of his intent to withdraw and opportunity to obtain new counsel as is evidenced by "Exhibit A." attached hereto.

5. That there are no unearned fees to be returned to the Defendant. Counsel has provided Defendant with any documents to which Defendant is entitled.

6. That Counsel states that he believes that good cause exists to allow said attorney and law firm to withdraw as attorneys of record for the Defendant.

WHEREFORE, Dustin A. Duke of AR Law Partners, PLLC, prays for an Order relieving said attorney and law firm from further representation of Defendant Rural Revival Living Trust in this action; and for all other relief to which he is legally and equitably entitled.

Respectfully submitted,

By: 

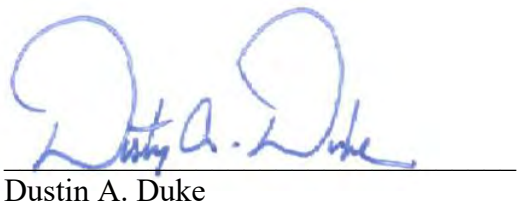
Dustin A. Duke, Ark. Bar 2001242
AR Law Partners, PLLC
415 N. McKinley Street
Little Rock, AR 72205
(501) 710-6500
dustin@arlawpartners.com

CERTIFICATE OF SERVICE

I, Dustin A. Duke, hereby certify that I sent the following person the foregoing document on this date through the following means:

William "Zac" White
Attorney for the Plaintiff
PO Box 1087
Heber Springs, AR 72543 — *Via the Court's electronic filing system*

Laura Lynn, Trustee
Rural Revival Living Trust
bohemian_books@yahoo.com — *Via Email*



Dustin A. Duke

Date: July 5, 2022

VANESSA CASH ADAMS
CHARLIE CUNNINGHAM
DUSTIN DUKE

ARlaw
PARTNERS, PLLC

JON CIGAINERO*
KATIE FREEMAN
* also licensed in Missouri

June 16, 2022

Ms. Laura L. Hammett
16 Gold Lake Club Rd
Conway, AR 72032

Via email at bohemian_books@yahoo.com

Re: *Michael Pietrczak vs. Rural Revival Living Trust & Laura Lynn*,
Searcy County Circuit Court Case No. 65CV-21-20
Appeal

Dear Ms. Hammett,

This letter is to put you on notice that I will be withdrawing as the attorney of record for the Defendant Rural Revival Living Trust in the appeal of the above named matter. I intend on filing the attached Amended Motion to Withdraw as Counsel on July 5, 2022. As you are aware from our previous discussions, I will not be able to pursue the appeal on behalf of Rural Revival Living Trust in this matter. The deadline should give you ample opportunity for the employment of new counsel if you elect to do so.

Sincerely,

Dustin A. Duke
Attorney at Law

Enclosures

Cc: file

Central AR Office
415 N McKinley, Suite 830
Little Rock, AR 72205
Phone: (501) 710-6500
Fax: (501) 710-6336

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IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL PIETRCZAK **PLAINTIFF**

VS. **NO. 65CV-21-20**

RURAL REVIVIAL LIVING TRUST
AND LAURA LYNN **DEFENDANT**

ORDER DENYING MOTION FOR EXTENTION OF TIME TO FILE THE RECORD

On the 17th day of June, 2022, a Motion for Extension of Time to File the Record on Appeal in the above-entitled cause of action was presented to the Court. The Court, based on the pleadings and all other considerations before the court, doth hereby FIND, ORDER, ADJUDGE, AND DECREE:

1. The Motion is Denied.

IT IS SO ORDERED.

CIRCUIT JUDGE

7/13/22
DATE

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
1ST DIVISION

MICHAEL PIETRCZAK — PLAINTIFF/COUNTER-DEFENDANT

VS. — CASE NO. 65CV-21-20

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN (HAMMETT) — DEFENDANT/COUNTER-CLAIMANT

CERTIFICATE OF COST

STATE OF ARKANSAS
COUNTY OF SEARCY

I, Deborah Loggins, County and Circuit Clerk in and for the County and State aforesaid, do hereby certify that the cost in preparing the transcript in the above styled cause is as follows:

1000 pages/Court File @ $2.50 per page	$ 2,500.00
124 pages/Court File @ $2.00 per page	$ 248.00
Indexing @ .25 per page (1124 pages)	$ 281.00
Authentication Certificate	$ 5.00
Certificate of Cost	$ 2.50
Total	$ 3,036.50

WITNESS MY HAND AND SEAL ON THE 17TH DAY OF JULY 2022.



Deborah Loggins

Deborah Loggins, Searcy County Circuit Clerk

IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
1ST DIVISION

MICHAEL PIETRCZAK — PLAINTIFF/COUNTER-DEFENDANT

VS. — CASE NO. 65CV-21-20

RURAL REVIVAL LIVING TRUST; AND LAURA LYNN (HAMMETT) — DEFENDANT/COUNTER-CLAIMANT

AUTHENTICATION CERTIFICATE

I, Deborah Loggins, Circuit Clerk in and for the County and State aforesaid, do hereby certify that the foregoing 1137 pages of typewritten material contain a true and complete transcript of the record of pleadings, testimony, and proceedings as therein set forth in the cause therein stated.

Witness my hand and seal on this 17th day of July 2022.

Deborah Loggins

Deborah Loggins, Searcy County Circuit Clerk

SEAL OF THE CIRCUIT COURT SEARCY COUNTY, AR